REFERENCE ONLY

Goldsmiths' Library
Parl. Papers

University of London

The Goldsmiths' Library.

620070

HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

34° VICTORIÆ, 1871.

VOL. CCVI.

COMPRISING THE PERIOD FROM

THE SECOND DAY OF MAY 1871,

TO

THE THIRTEENTH DAY OF JUNE 1871.

Third Volume of the Session.

LONDON:
PUBLISHED BY CORNELIUS BUCK,
AT THE OFFICE FOR "HANSARD'S PARLIAMENTARY DEBATES,"
23, PATERNOSTER ROW. [E.C.]

1871.

BIBL. LONDIN. UNIV.

LONDON: CORNELIUS BUCK, 23, PATERNOSTER ROW, E.C.

TABLE OF CONTENTS

TO

VOLUME CCVI.

THIRD SERIES.

LORDS, TUESDAY, MAY 2.

Page

Protection of Life and Property in certain Parts of Ireland Bill (No. 77)—

Moved, "That the Bill be now read 2^{a},"—(*The Earl of Kimberley*) .. 1
After long debate, Motion *agreed to*:—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Ecclesiastical Courts Bill [H.L.]—*Presented* (*The Earl of Shaftesbury*); read 1^{a} (No. 84) 44

Ecclesiastical Procedure and Registry Bill [H.L.]—*Presented* (*The Earl of Shaftesbury*); read 1^{a} (No. 85) 44

COMMONS, TUESDAY, MAY 2.

Licensing Bill—Question, Sir Lawrence Palk; Answer, Mr. Bruce .. 44

Court of Chancery—Vice Chancellor Bacon's Court—Question, Mr. Samuelson; Answer, The Attorney General 45

Army — Volunteers — Arms, Ammunition, &c.—Question, Earl Percy; Answer, Sir Henry Storks 46

Sunday Trading—Question, Mr. Harvey Lewis; Answer, Mr. Bruce .. 46

Criminal Law—Case of James Smith—Question, Mr. Ridley; Answer, Mr. Bruce 47

Navy—Loss of the "Captain"—Question, Colonel H. Lowther; Answer, Mr. Goschen 47

Board of Trade Library—Question, Mr. Bowring; Answer, Mr. Chichester Fortescue 48

Postage Rate (United States)—Resolution—

Moved, "That, in the opinion of this House, it is desirable that the Postmaster General should propose to the Postmaster General of the United States that the letter postage between the two countries should be reduced from 3*d.* to 1*d.*,"—(*Mr. Seely*) ... 49

POSTAGE RATE (UNITED STATES)—RESOLUTION—continued.

After short debate, Amendment proposed,

To leave out from the word "desirable" to the end of the Question, in order to add the words "that Her Majesty's Government should enter into communication with the Government of the United States, in order to consider whether it would be practicable further to reduce the rates of postage between the two countries without undue charge upon the public revenue,"—(*Mr. Gladstone,*)—instead thereof.

After further short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Question proposed,

"That the words 'that Her Majesty's Government should enter into communication with the Government of the United States, in order to consider whether it would be practicable further to reduce the rates of postage between the two countries without undue charge upon the public revenue,'—be added, instead thereof.

Amendment proposed to the said proposed Amendment, by leaving out the words "without undue charge upon the public Revenue,"—(*Mr. Hadfield.*)

After further short debate, Question, "That the words proposed to be left out stand part of the said Amendment," put, and *agreed to:*—Words *added:*—Main Question, as amended, put, and *agreed to.*

COMPULSORY MILITARY SERVICE—RESOLUTION—

Moved, "That, in the opinion of this House, to place the country in a state of permanent security it is necessary to establish our military system on the basis of recognizing the obligation of all citizens to defend their country, and of fitting them by training for the discharge of their duty,"—(*Mr. O'Reilly*) 56

[House counted out.]

COMMONS, WEDNESDAY, MAY 3.

Women's Disabilities Bill [Bill 13]—

Moved, "That the Bill be now read a second time,"—(*Mr. Jacob Bright*) 68

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months," —(*Mr. Bouverie.*)

After long debate, Question put, "That the word 'now,' stand part of the Question:"—The House *divided;* Ayes 151, Noes 220; Majority 69:—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

Division List, Ayes and Noes 121

Local Legislation (Ireland) Bill [Bill 43]—

Moved, "That the Bill be now read a second time,"—(*Mr. Heron*) .. 124

After short debate, Debate *adjourned* till *Wednesday* 14th June.

Private Chapels Bill [Bill 112]—

Moved, "That the Bill be now read the third time,"—(*Mr. Salt*) .. 126

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day month,"—(*Mr. Beresford Hope:*)—After short debate, Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

But it being now a quarter to Six of the clock—further Proceeding on Third Reading *adjourned* till *To-morrow.*

Pensions Commutation Acts Bill—Resolution *reported,* and *agreed to:*—Bill *ordered* (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter*); *presented,* and read the first time [Bill 122] 127

Trust Funds (Investments) Bill—*Ordered* (*Mr. Stephen Cave, Mr. Russell Gurney, Mr. Crawford*); *presented,* and read the first time [Bill 123] 127

Salmon Fisheries (Ireland) Bill—*Ordered* (*Mr. Heron, Mr. Henry Herbert, Mr. Mitchell Henry*); *presented,* and read the first time [Bill 121] 127

TABLE OF CONTENTS.

LORDS, THURSDAY, MAY 4.

Page

Bank Holidays Bill (No. 70)—

Moved, "That the Bill be now read 2ª,"—(*The Marquess of Salisbury*) .. 128

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Protection of Life and Property in certain Parts of Ireland Bill (Nos. 77-94)—

House in Committee (according to Order); Bill *reported,* without Amendment 129

After short debate, Amendments made:—Bill to be read 3ª *To-morrow,* and to be *printed,* as amended (No. 94.)

THE ROYAL MINT—MOTION FOR A SELECT COMMITTEE—

Moved, That a Select Committee be appointed to inquire into the past and present management of the Royal Mint, and to consider the last Report of the Deputy Master of the Mint, as well as that on European Mints; and how far it is expedient, considering the state of the public revenue, to incur the expense of £80,000 for new buildings for the Mint, although, as stated in the Report, these may be so constructed as to guard against loss of metal and diminish opportunities of peculation,—(*The Lord Kinnaird*) ... 134

After short debate, on Question? *Resolved* in the *Negative.*

Tancred's Charities Bill [H.L.]—*Presented* (*The Lord Privy Seal*); read 1ª (No. 91) 149

COMMONS, THURSDAY, MAY 4.

INTOXICATING LIQUORS (LICENSING) BILL—Question, Mr. Bass; Answer, The Attorney General 149

INDIA—EUROPEAN TROOPS—HILL STATIONS—Question, Lord Eustace Cecil; Answer, Mr. Grant Duff 150

ARMY—AMENDED HENRI-MARTINI RIFLE—Question, Mr. Muntz; Answer, Mr. Cardwell 150

ARMY—GREAT-COATS TO THE MILITIA—Question, Mr. Collins; Answer, Mr. Cardwell 151

CLERKS OF THE CUSTOM HOUSE—Question, Mr. Peek; Answer, The Chancellor of the Exchequer 151

ARMY — PROMOTION IN THE ARTILLERY—Question, Major Arbuthnot; Answer, Captain Vivian 152

WAR OFFICE—THE INCOME TAX COMMISSIONERS—Question, Mr. O'Reilly; Answer, Mr. Cardwell 153

WEST COAST OF AFRICA—TRANSFER OF THE GAMBIA COLONY—Question, Sir Harry Verney; Answer, Mr. Knatchbull-Hugessen .. 153

POST OFFICE—TELEGRAPH OFFICES—Question, Mr. Noel; Answer, Mr. Monsell 154

POST OFFICE—LETTER RECEIVERS AND TELEGRAPH BUSINESS—Question, Mr. Charley; Answer, Mr. Monsell 155

WAYS AND MEANS—REPORT—

Resolution [May 1] *reported,* and read a second time 155

Amendment proposed, to leave out "Sixpence," and insert "Five Pence," —(*Mr. W. M. Torrens,*)—instead thereof.

Question proposed, "That 'Sixpence' stand part of the proposed Resolution:"—After long debate, Question put:—The House *divided;* Ayes 294, Noes 248; Majority 46:—Resolution *agreed to*:—Bill *ordered* (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter*); *presented,* and read the first time [Bill 126.]

Division List, Ayes and Noes 242

[*May* 4.] Page

DIVORCE BILLS—

Select Committee *nominated*:—List of the Committee 246

Postage Bill—*Ordered* (*Mr. Monsell, Mr. Chancellor of the Exchequer, Mr. Baxter*); *presented*, and read the first time [Bill 124] 246

Burial Law Amendment Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 125] 247

LORDS, FRIDAY, MAY 5.

ARTILLERY—ADDRESS FOR RETURNS—

Moved, That an humble Address be presented to Her Majesty for the following Returns with regard to the force of Artillery in the United Kingdom:
1. Number of horse, field, and garrison artillerymen in the United Kingdom, exclusive of depôts:
2. Number of the same in depôts:
3. Number of militia and volunteer artillerymen in the United Kingdom:
4. Number of artillerymen in the fortresses of Gibraltar and Malta respectively,—(*The Earl of Carnarvon*) 247

After debate, Motion *agreed to*.

SAFETY OF DR. LIVINGSTONE—Observations, Earl Granville .. 260

County Justices Qualification Amendment Bill (No. 67)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 261
Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

LOSS OF H.M. SHIP THE "CAPTAIN"—THE LATE CAPTAIN BURGOYNE—Question, Lord Buckhurst; Answer, The Earl of Camperdown .. 261

Protection of Life and Property in certain Parts of Ireland Bill (Nos. 77, 94)—

Bill read 3ª (according to Order) 263
Amendment *moved*, "That the provisions of the Bill be extended to the county of Mayo,"—(*The Lord Oranmore and Browne.*)
After short debate, Motion (by leave of the House) *withdrawn*:—Amendments made; Bill *passed*, and sent to the Commons.

POST OFFICE—THE SCOTCH MAILS—Question, The Duke of Sutherland; Answer, The Marquess of Lansdowne 268

COMMONS, FRIDAY, MAY 5.

IRELAND — THE CENSUS — FALSIFICATION OF RETURNS — Question, Mr. Maguire; Answer, The Marquess of Hartington 269

FRANCE AND GERMANY—Question, Sir Rowland Blennerhassett; Answer, Viscount Enfield 269

UNION ASSESSMENT COMMITTEES—Question, Mr. Kennaway; Answer, Mr. Goschen 270

UNITED STATES — ENGLISH CLAIMS—THE MIXED COMMISSION—Question, Mr. Pim; Answer, Viscount Enfield 270

ARMY—ESTABLISHMENT OF CAVALRY REGIMENTS—Question, Colonel North; Answer, Mr. Cardwell 271

CHINA—BRITISH MINISTER AT PEKIN—Question, Mr. Magniac; Answer, Mr. Gladstone 271

INCOME TAX BILL—Questions, Colonel Stuart Knox, Mr. J. Lowther; Answers, Mr. Gladstone 272

[*May* 5.] *Page*

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

POOR LAW METROPOLIS—ADDRESS FOR A ROYAL COMMISSION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the policy and administration of the Poor Law within the Metropolis,"—(*Mr. William Henry Smith,*)—instead thereof 272

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn.*

BABY-FARMING—MOTION FOR A SELECT COMMITTEE—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire as to the best means of preventing the destruction of the lives of infants put out to nurse for hire by their parents,"—(*Mr. Charley,*)—instead thereof 320

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived:*—Words *added:*—Main Question, as amended, put, and *agreed to.*

And, on May 10, Committee *nominated:*—List of the Committee .. 321

DUCHY OF LANCASTER—Observations, Mr. Alderman W. Lawrence; Reply, Mr. Speaker:—Short debate thereon 321

SUPPLY—*Resolved,* That this House will immediately resolve itself into the Committee of Supply.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

DUCHY OF LANCASTER—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is advisable that the Commissioners of Her Majesty's Woods, Forests, and Land Revenues be represented in Parliament by a First Commissioner of Woods and Forests, in the same manner as the Department of Her Majesty's Works and Public Buildings is now represented by a First Commissioner of Works and Public Buildings,"—(*Mr. Alderman Lawrence,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

CAB REGULATIONS—Observations, Mr. Cavendish Bentinck; Reply, Mr. Bruce 330

IRELAND—RAILWAYS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "legislative facilities ought to be afforded to the Treasury in order that an Imperial guarantee may in proper cases be given for the interest on capital to be provided for the purpose of completing the Railways of Ireland already authorised by Acts of Parliament,"—(*Mr. Heron,*)—instead thereof 333

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 75, Noes 14; Majority 61.

Main Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

Pier and Harbour Orders Confirmation (No. 2) Bill—*Considered* in Committee:—Resolution *agreed to,* and *reported:*—Bill *ordered* (*Mr. Arthur Peel, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 127] 335

Gas and Water Provisional Orders Confirmation Bill—*Ordered* (*Mr. Arthur Peel, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 128] ... 335

TABLE OF CONTENTS.

LORDS, MONDAY, MAY 8.

Page

Artillery—Personal Explanation, The Earl of Carnarvon; Reply, Lord Northbrook 336

University Tests Bill (Nos. 26, 104)—

House in Committee (according to Order) 338

After long time spent therein, Amendments made; the Report thereof to be received on *Thursday* next; and Bill to be *printed*, as amended (No. 104.)

Adjutants (Jury) Exemption Bill [H.L.]—*Presented* (*The Lord Stratheden*); read 1ª (No. 101) 398

COMMONS, MONDAY, MAY 8.

Parliament—Public Business—Questions, Sir Robert Anstruther, Mr. Crawford, Mr. Hunt; Answers, Mr. Gladstone, The Chancellor of the Exchequer, Mr. Bruce 399

Natural History Museum, South Kensington—Question, Mr. Cavendish Bentinck; Answer, Mr. Ayrton 402

India—Cost of Drill, Indian Service—Question, Colonel Sykes; Answer, Mr. Cardwell 403

Education—The New Code (1871)—Question, Mr. Dixon; Answer, Mr. W. E. Forster 403

Army—Martini-Henry Rifle—Explanation, Colonel Barttelot .. 404

Income Tax and Inhabited House Duties Bill [Bill 126]—

Order for Committee read 404

After short debate, Bill *considered* in Committee, and *reported*, without Amendment; to be read the third time *To-morrow*.

Army Regulation Bill [Bill 39]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Secretary Cardwell*) 405

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in any scheme for the abolition of Purchase in the Army the State as well as the Officers must forego the advantages hitherto derived from that system, and in order to give the State that unrestricted power over the Officers of the Army which it is desirable it should possess, and also in justice to the Officers of the Army themselves, the regulation value of their Commissions shall be at once returned to them,"—(*Colonel Anson,*)—instead thereof.

After long debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 250, Noes 187; Majority 63.

Original Question again proposed:—*Moved*, "That the Debate be now adjourned,"—(*Major Arbuthnot:*)—Question put:—The House *divided;* Ayes 178, Noes 243; Majority 65.

Original Question again proposed:—*Moved*, "That this House do now adjourn,"—(*Colonel Jervis:*)—After further short debate, Question put:—The House *divided;* Ayes 127, Noes 223; Majority 96.

Original Question again proposed:—*Moved*, "That the Debate be now adjourned,"—(*Colonel Stuart Knox:*)—Question put:—The House *divided;* Ayes 105, Noes 207; Majority 102

Original Question again proposed:—*Moved*, "That this House do now adjourn,"—(*Colonel Corbett:*)—Question put:—The House *divided;* Ayes 99, Noes 189; Majority 90.

Original Question again proposed:—*Moved*, "That the Debate be now adjourned,"—(*Sir William Bagge:*)—Question put:—The House *divided;* Ayes 98, Noes 178; Majority 80.

Army Regulation Bill—continued.

Original Question again proposed :—Whereupon Motion made, and Question, "That this House do now adjourn,"—(*Sir William Verner*,) —put, and *negatived.*

Original Question again proposed :—Debate arising :—Debate *adjourned* till *Thursday.*

WAYS AND MEANS—

Considered in Committee 453

Resolution *agreed to*, to be reported *To-morrow :* — Committee to sit again upon *Wednesday.*

Tramways Provisional Orders Confirmation Bill — *Considered* in Committee :— Resolution *agreed to*, and *reported :*—Bill *ordered* (*Mr. Arthur Peel, Mr. Chichester Fortescue*) ; *presented*, and read the first time [Bill 130] 454

Police Courts (Metropolis) Bill—*Ordered* (*Mr. Baxter, Mr. William Henry Gladstone*) ; *presented*, and read the first time [Bill 131] 454

LORDS, TUESDAY, MAY 9.

ECCLESIASTICAL PATRONAGE (SCOTLAND)—Question, The Earl of Rosebery ; Answer, The Duke of Argyll :—Short debate thereon 458

CATHEDRAL ESTABLISHMENTS—MOTION FOR PAPERS—

Moved, That there be laid before the House, Copies of Suggestions drawn by Cathedral Bodies for the improvement of Cathedral Establishments,—(*The Lord Archbishop of York*) 460

After short debate, Motion *agreed to.*

H.M. SHIP "CAPTAIN" — CASE OF MRS. BURGOYNE—MOTION FOR AN ADDRESS—

Moved that an humble Address be presented to Her Majesty praying that Her Majesty would be graciously pleased to take into Her consideration the case of Mrs. Burgoyne, widow of the late Captain Burgoyne of H.M. Ship "Captain," with a view to her relief from the pecuniary liabilities which she has incurred in consequence of the loss of that ship,—(*The Lord Buckhurst*) 462

After short debate, Motion (by Leave of the House) *withdrawn.*

Leeward Islands Bill [H.L.]—*Presented* (*The Earl of Kimberley*) ; read 1ª (No. 105) 467

COMMONS, TUESDAY, MAY 9.

NAVY—H.M.S. "CAPTAIN"—CASE OF MRS. BURGOYNE—Questions, Mr. Baillie Cochrane, Sir James Elphinstone ; Answers, Mr. Speaker, Mr. Goschen 468

IRELAND — SURPLUS REVENUES OF THE IRISH CHURCH — Question, Mr. Whalley ; Answer, Mr. Gladstone 470

TREATY WITH THE UNITED STATES—Question, Lord Robert Montagu ; Answer, Viscount Enfield 471

THE WOODS AND FORESTS AND CROWN PROPERTY—Question, Lord Henry Scott ; Answer, The Chancellor of the Exchequer 471

THE CONTRACTORS' ACT—Question, Mr. Mitchell Henry ; Answer, The Attorney General 472

CATTLE FROM PRUSSIA—Question, Mr. Carter ; Answer, Mr. W. E. Forster 472

POST OFFICE MONEY ORDERS—Question, Mr. Maguire ; Answer, Mr. Monsell 473

NAVY—SERVICE BUOYS—Question, Colonel French ; Answer, Mr. Goschen 474

ESTABLISHED CHURCHES—Petition presented (*Mr. Gathorne Hardy*) .. 474

ESTABLISHED CHURCHES—RESOLUTION—

Moved, "That it is expedient, at the earliest practicable period, to apply the policy initiated by the disestablishment of the Irish Church, by the Act of 1869, to the other Churches established by Law in the United Kingdom,"—(*Mr. Miall*) 474

After long debate, Question put :—The House *divided ;* Ayes 89, Noes 374 ; Majority 285.

Division List, Ayes and Noes 572

Trust Funds Investments Bill [Bill 123]—
Moved, "That the Bill be now read a second time,"—(*Mr. Stephen Cave*) 575
Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Income Tax and Inhabited House Duties Bill [Bill 126]—
Order for Third Reading read .. 577
After short debate, Order *discharged;* Bill *re-committed* for *Thursday.*

Tithe Rent-Charges (Ireland) Bill—*Ordered* (*Mr. Heron, Sir John Esmonde, Mr. Murphy*); *presented,* and read the first time [Bill 132] 577

Courts of Justice (Additional Site) Bill—*Ordered* (*Mr. Ayrton, Mr. Baxter*); *presented,* and read the first time [Bill 133] 578

COMMONS, WEDNESDAY, MAY 10.

Registration of Parliamentary Voters Bill [Bill 19]—
Moved, "That the Bill be now read a second time,"—(*Mr. Henry Robert Brand*) 578
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Pell*:)—After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 151, Noes 135; Majority 16:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 19th July.

Charities, &c. Exemption Bill [Bill 23]—
Moved, "That the Bill be now read a second time,"—(*Mr. Muntz*) .. 593
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Hardcastle*:)—Question proposed, "That the word 'now' stand part of the Question."
After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Stansfeld*:)—Question put:—The House *divided*:—Ayes 84, Noes 117; Majority 33.
Question again proposed, "That the word 'now' stand part of the Question:"—Debate arising—And it being a Quarter before Six of the clock, the Debate stood adjourned till *To-morrow.*

WAYS AND MEANS—Order for Committee read 599
After short debate, Committee *deferred* till *To-morrow.*

East India Stocks (Dividends) Bill—*Ordered* (*Mr. Grant Duff, Mr. Adam*); *presented,* and read the first time [Bill 134] 599

Metropolitan Buildings and Management Bill—*Ordered* (*Sir William Tite, Dr. Brewer, Mr. Cavendish Bentinck, Mr. Bowring*); *presented,* and read the first time [Bill 135] 599

LORDS, THURSDAY, MAY 11.

Sequestration Bill (No. 54)—
Moved, "That the Bill be now read 2^a,"—(*The Lord Bishop of Winchester*) .. 600
After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Adjutants (Jury Exemption) Bill (No. 101)—
Moved, "That the Bill be now read 2^a,"—(*The Lord Stratheden*) .. 601
After short debate, an Amendment *moved,* to leave out ("now") and insert ("this day six months:")—on Question, that ("now") stand part of the Motion? *Resolved* in the *Negative;* and Bill to be read 2^a *this day six months.*

University Tests Bill (No. 104)—
Amendments *reported* (according to Order) 602
After short debate, Bill to be read 3^a *To-morrow,* and to be *printed,* as amended (No. 107.)

[*May* 11.] *Page*

INDIA—INDIAN ADMINISTRATION AND FINANCE—
Petitions for a Royal Commission of Inquiry *Presented* (*The Marquess of Salisbury*) 606
After short debate, Petitions *ordered* to lie on the Table.

UNITED STATES—THE JOINT HIGH COMMISSION—Question, The Marquess of Clanricarde; Answer, Earl Granville 620

COMMONS, THURSDAY, MAY 11.

ENDOWED SCHOOLS COMMISSIONERS—EDUCATIONAL ENDOWMENTS—Question, Mr. Welby; Answer, Mr. W. E. Forster 621
INSULATION OF TELEGRAPHIC WIRES—"BRAIE"—Question, Sir John Hay; Answer, Mr. Monsell 622
CUSTOMS AND INLAND REVENUE ACT—ARMORIAL BEARINGS—Question, Dr. Lush; Answer, The Chancellor of the Exchequer 623
ARMY—GENERAL ORDER ON RECRUITING—Question, Captain Carington; Answer, Mr. Cardwell 623
PENSIONS IN INDIA—Question, Mr. Haviland-Burke; Answer, Mr. Gladstone 624
COMPULSORY PILOTAGE BILL—COMPENSATION—Question, Mr. Bourke; Answer, Mr. Chichester Fortescue 624
IRELAND — APPOINTMENT OF STAMP DISTRIBUTORS — Question, Viscount Crichton; Answer, The Marquess of Hartington 625
DIRECT AND INDIRECT TAXATION—Question, Mr. M. T. Bass; Answer, The Chancellor of the Exchequer 625
METROPOLIS—THE WELLINGTON MONUMENT—Question, Mr. Goldsmid; Answers, Mr. Ayrton, The Chancellor of the Exchequer .. 626
ESTABLISHED CHURCHES — THE ARCHBISHOP OF DUBLIN — Question, Mr. Conolly; Reply, Mr. Disraeli 628
NAVY—"THUNDERER" AND "DEVASTATION"—Questions, Mr. Corry; Answers, Mr. Goschen 629
NAVY—H.M.S. "CAPTAIN"—WIDOWS OF OFFICERS—Question, Sir James Elphinstone; Answer, Mr. Goschen 630
GAME LAWS—Observations, Mr. Bruce; Reply, Mr. P. A. Taylor .. 631

Income Tax and Inhabited House Duties (*re-comm.*) **Bill** [Bill 126]
Order for Committee read 631
After short debate, Order *discharged;* Bill *withdrawn*

Army Regulation Bill [Bill 39]—
Order read, for resuming Adjourned Debate on Question [8th May], "That Mr. Speaker do now leave the Chair:"—Question again proposed:—Debate *resumed* 636
After long debate, Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee.
Committee report Progress; to sit again upon *Monday* next.

PARLIAMENT—BUSINESS OF THE HOUSE—
Moved, "That, whenever the House shall meet at Two of the clock, the sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869,"—(*Mr. Gladstone*) .. 696
After short debate, Motion *agreed to.*

Railway Legislation Bill—*Ordered* (*Mr. Whalley, Mr. M'Mahon*); *presented,* and read the first time [Bill 138] 697
Dogs (No. 2) Bill—*Ordered* (*Mr. Serjeant Simon, Sir Colman O'Loghlen, Mr. Craufurd*); *presented,* and read the first time [Bill 137] 697

TABLE OF CONTENTS.

LORDS, FRIDAY, MAY 12.

Page

New Peer—Lieutenant General the Right Honourable Sir William Rose Mansfield, G.C.B., G.C.S.I., Baron Sandhurst of Sandhurst in the county of Berks 698

United States—The Joint High Commission—The "Alabama" Claims—Question, Lord Redesdale; Answer, Earl Granville:—Short debate thereon 698

Small Pox (Metropolis)—Question—Motion for Returns—

Moved, "That there be laid before this House Returns of the number of births and of the number of children vaccinated in the Metropolitan districts during the year ending the 31st December, 1869,"—(*The Lord Buckhurst*) 701

After short debate, Motion amended, and *agreed to;* Returns ordered. (No. 111.)

University Tests Bill (Nos. 107-109)—

Moved, "That the Bill be now read 3^a,"—(*The Earl of Kimberley*) .. 705

After short debate, Motion *agreed to*:—Bill read 3^a accordingly, with the Amendments:—An Amendment made:—Bill *passed,* and sent to the Commons; and to be *printed,* as amended. (No. 109.)

COMMONS, FRIDAY, MAY 12.

Alleged Death from Starvation—Question, Mr. Cadogan; Answer, Mr. Stansfeld 715

Sunday Trading—Questions, Mr. Harvey Lewis, Mr. Charley; Answers, Mr. Bruce 715

Coal Fields of South Wales—Question, Mr. Brogden; Answer, Mr. Ayrton 716

Gunpowder in Private Stock, &c.—Question, Mr. Montague Guest; Answer, Mr. Bruce 716

Protection of Life and Property in certain Parts of Ireland Bill (*Lords*) [Bill 129]—

Moved, "That the Bill be now read a second time,"—(*The Marquess of Hartington*) 716

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to continue 'The Peace Preservation (Ireland) Act, 1870,' beyond the date settled by that statute,"—(*The O'Conor Don,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Debate *adjourned* till *Tuesday* next, at Two of the Clock.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The United Kingdom and the Colonies—Motion for a Select Committee—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to consider whether any and what ameliorations should, in concurrence with the Colonies, be made of the relations between the United Kingdom and the Colonies, with a view to the permanent maintenance of the best and most cordial interconnection between all parts of the Empire,"—(*Mr. Macfie,*)—instead thereof 750

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

India—Nawab of Tonk—Motion for a Select Committee—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire whether the procedure adopted in the case of the Nawab of Tonk was conformable to recognised principles of justice, and calculated to ensure a right decision being arrived at,"—(*Mr. Robert Fowler,*)—instead thereof 770

Supply—India—Nawab of Tonk—Motion for a Select Committee—continued.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, *Moved,* "That the Debate be now adjourned,"—(*Sir Edward Colebrooke*:)—Motion *agreed to*:—Debate *adjourned* till *Monday* next.

Ways and Means—Resolution [May 11] *reported,* and *agreed to*:—Bill *ordered* (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter*) 778

LORDS, MONDAY, MAY 15.

The Royal Mint—The Chlorine Process—Explanation, The Marquess of Lansdowne; Reply, Lord Kinnaird 778

Criminal Law Amendment (Violence, Threats, &c.) Bill—
House in Committee (according to Order) 778
Amendments made; the Report thereof to be received *To-morrow;* and Bill to be *printed,* as amended. (No. 115.)

Treaty of Paris, 1856—Motion for an Address—
Moved, That an humble Address be presented to Her Majesty for any consular reports of the steps which the Russian Government are taking to form the Maritime and Military Arsenals which Clause XIII. of the Treaty had prohibited,—(*The Lord Campbell*) 782
After debate, on Question, *Resolved* in the *Negative.*

Canada Bill [H.L.]—*Presented* (*The Earl of Kimberley*); read 1ª (No. 112) ... 803
Juries Ireland Bill [H.L.]—*Presented* (*The Lord O'Hagan*); read 1ª (No. 113) ... 803

COMMONS, MONDAY, MAY 15.

Scotland—Law of Hypothec—Question, Mr. Stapleton; Answer, The Lord Advocate 803
Ireland—High Sheriffs in Ireland—Question, Mr. Monk; Answer, The Marquess of Hartington 804
Ireland—Census of School Children—Question, The O'Conor Don; Answer, The Marquess of Hartington 804
China—Missionaries—Question, Mr. Macfie; Answer, Viscount Enfield 805
Inland Revenue—Licences for Attendants on Lunatics—Question, Sir James Lawrence; Answer, The Chancellor of the Exchequer .. 805
Brazil—Claims of British Subjects—Question, Mr. Anderson; Answer, Viscount Enfield 806
Rates on Government Property—Question, Dr. Brewer; Answer, Mr. Baxter 807
New Forest—Question, Sir Charles W. Dilke; Answer, Mr. Baxter .. 807
Publichouses—Transfer of Licences—Question, Mr. Wethered; Answer, Mr. Bruce 808
Navy—Cadets—Question, Sir James Elphinstone; Answer, Mr. Goschen 808
Education—The New Code (1871)—Article 32 (c.)—Question, Mr. J. G. Talbot; Answer, Mr. W. E. Forster 809
Army—Employment of Army Officers in the Reserve Forces—Question, Lord Eustace Cecil; Answer, Mr. Cardwell 809
Customs and Income Tax Bill—Question, Mr. Disraeli; Answer, Mr. Gladstone 809

Army Regulation Bill [Bill 39]—
Bill *considered* in Committee [*Progress* 11*th May*] 811
Clause 1 (Short title of Act.)
Clause 2 (Sale of Commissions prohibited after a certain day.)
After long time spent therein, Committee report Progress; to sit again upon *Thursday.*

Metropolitan Board of Works (Loans) Bill—*Ordered* (*Mr. Baxter, Mr. Chancellor of the Exchequer*); *presented,* and read the first time [Bill 140] 861

Murder Law Amendment and Appeal Bill—*Ordered* (*Sir George Jenkinson, Mr. Gilpin, Mr. Goldney*); *presented,* and read the first time [Bill 141] 861

LORDS, TUESDAY, MAY 16.

Bank Holidays Bill (Nos. 70-120)—
Order of the Day for the House to be put into Committee, read .. 861
Moved, "That it be an Instruction to the Committee that they have power to make provision for extending the Bill to payments and acts other than the payments of bills of exchange and promissory notes,"—(*The Marquess of Salisbury.*)
After short debate, Motion (by leave of the House) *withdrawn.*
House in Committee.
Amendments made; the Report thereof to be received on *Friday* next; and Standing Orders Nos. 37. and 38. to be considered in order to their being dispensed with; and Bill to be *printed,* as amended. (No. 120.)

Citation Amendment (Scotland) Bill (No. 76)—
Moved, "That the Bill be now read 2^{a},"—(*The Earl of Airlie*) .. 868
After short debate, Motion *agreed to:*—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 8*th of June* next.

Navy—Supply of Coal—Question, The Earl of Lauderdale; Answer, The Earl of Camperdown 870

COMMONS, TUESDAY, MAY 16.

Betting Houses in Scotland—Question, Mr. T. Hughes; Answer, Mr. Bruce 870
Conviction at Aldershot—Questions, Mr. Straight, Mr. H. A. Herbert; Answers, Mr. Bruce 873
Navy—Officers in the Navy and the Income Tax—Question, Mr. G. Bentinck; Answer, Mr. Goschen 874

Protection of Life and Property in certain Parts of Ireland Bill (*Lords*) [Bill 129]—
Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May].
Question again proposed:—Debate *resumed* 875
After long debate, it being ten minutes to Seven of the clock, the debate stood adjourned till this day.
And at Seven of the clock the House suspended its Sitting.

House resumed its Sitting at Nine of the clock. [House counted out.]

COMMONS, WEDNESDAY, MAY 17.

Ireland—The Constabulary—Explanation, Mr. Bagwell 915
Mines Regulation Bill—Question, Lord Elcho; Answer, Mr. Bruce .. 916

Permissive Prohibitory Liquor Bill [Bill 11]—
Moved, "That the Bill be now read a second time,"—(*Sir Wilfrid Lawson*) 917
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Wheelhouse*) 926
After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 124, Noes 206; Majority 82:—[*But see* pp. 962-3.]—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

Poor Law Provisional Orders Confirmation Bill—*Ordered* (*Mr. Hibbert, Mr. Stansfeld*); *presented,* and read the first time [Bill 148] 953

COMMONS, THURSDAY, MAY 18.

India—Civil Engineers—Examinations—Question, Sir Francis Goldsmid; Answer, Mr. Grant Duff 954
Terminable Annuities—Question, Mr. White; Answer, The Chancellor of the Exchequer 955
Navy—Portland Harbour—Question, Mr. Owen Stanley; Answer, Mr. Goschen 955

[*May* 18.] Page

LAND BELONGING TO CORPORATE BODIES — RETURN—Question, Mr. Wren Hoskyns; Answer, Mr. Bruce 956
ARMY REGULATION BILL—PENSIONS—Question, Colonel C. Lindsay; Answer, Mr. Cardwell 956
ARMY—VOLUNTEER EQUIPMENTS—Question, Colonel C. Lindsay; Answer, Sir Henry Storks 957
ARMY — RECRUITING ARRANGEMENTS — Question, Colonel Stuart Knox; Answer, Mr. Cardwell 957
PEDLARS' ACT—Question, Mr. Gathorne Hardy; Answer, Mr. Bruce .. 957
ARMY — BOYS AT WOOLWICH ARSENAL — Question, Colonel Beresford; Answer, Sir Henry Storks 958
HABITUAL CRIMINALS ACT—Question, Mr. Stephen Cave; Answer, Mr. Bruce 959
IRELAND — COUNTY COURT JUDGES — Question, Sir Colman O'Loghlen; Answer, Mr. Gladstone 959
ADULTERATION OF TEA—Question, Lord Eustace Cecil; Answer, Mr. Bruce 959
CASE OF MR. G. MACKEY—Question, Mr. Newdegate; Answer, Mr. Bruce 960
ARMY SERVICE CORPS—Question, Major Arbuthnot; Answer, Sir H. Storks 961
ORDNANCE SURVEY FOR ENGLAND—Question, Mr. Wren Hoskyns; Answer, Mr. Ayrton 962
PARLIAMENT—DIVISION ON THE PERMISSIVE PROHIBITORY LIQUOR BILL—Question, Sir Wilfrid Lawson; Answer, Mr. Speaker; Observations, Mr. Bouverie 962
PARLIAMENT—MORNING SITTINGS, &c.—Question, Mr. G. Bentinck; Answer, Mr. Gladstone 963

Customs and Income Tax Bill [Bill 136]—
Order for Committee read 964
After long debate, Bill *considered* in Committee 999
After short time spent therein, Bill *reported*, without Amendment; to be read the third time *this day*, at Two of the clock.

Army Regulation Bill [Bill 39]—
Bill *considered* in Committee [*Progress 15th May*] 1005
Clause 2 (Sale of Commissions prohibited after a certain day.)
After some time spent therein, Committee report Progress; to sit again upon *Monday* next.

Game and Trespass Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Sir Smith Child, Mr. Goldney, Sir Graham Montgomery, Colonel Corbett*); *presented*, and read the first time [Bill 151] 1021
House of Commons (Witnesses) Bill—*Ordered* (*Mr. Attorney General, Mr. Secretary Bruce, Mr. Solicitor General*); *presented*, and read the first time [Bill 156] ... 1021
Norwich Voters Disfranchisement Bill—*Ordered* (*Mr. Attorney General, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 155] 1021
Pier and Harbour Orders Confirmation (No. 3) Bill—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. Chichester Fortescue, Mr. Arthur Peel*); *presented*, and read the first time [Bill 153] 1021
Corrupt Practices Act Amendment Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 152] 1021
India (Local Legislatures) Bill—*Ordered* (*Mr. Grant Duff, Mr. Adam*); *presented*, and read the first time [Bill 154] 1022
BENEFICES RESIGNATION BILL — Select Committee *nominated*:—List of the Committee 1022

LORDS, FRIDAY, MAY 19.

Leeward Islands Bill (No. 105)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Kimberley*) .. 1022
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

The Natural History Collection at South Kensington—Question, Lord Cairns; Answer, The Duke of St. Albans:—Short debate thereon 1028

Juries (Ireland) Bill (No. 122)—

Moved, "That the Bill be now read 2^a,"—(*The Lord O'Hagan*) .. 1031

After short debate, Motion *agreed to*:—Bill read 2^a accordingly.

The Wellington Monument—Question, Earl Cadogan; Answer, The Marquess of Lansdowne 1034

Betting Bill [H.L.]—*Presented* (*The Earl of Morley*); read 1^a (No. 129) ... 1037

COMMONS, FRIDAY, MAY 19.

Ireland—Labourers and their Habitations—Question, Mr. M'Carthy Downing; Answer, The Marquess of Hartington 1037

South African Diamond Fields—Orange Free State—Question, Mr. Raikes; Answer, Mr. Knatchbull-Hugessen 1037

Protection of Life and Property in certain Parts of Ireland Bill (*Lords*) [Bill 129]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May].

Question again proposed:—Debate *resumed* 1039

After long debate, Question put:—The House *divided*; Ayes 340, Noes 12; Majority 328.

Division List, Noes 1073

Main Question put, "That the Bill be now read a second time:"—The House *divided*; Ayes 293, Noes 11; Majority 282:—Bill read a second time, and *committed* for *Tuesday* next, at Two of the clock.

And at ten minutes to Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

Supply—Adjourned Debate—India—Nawab of Tonk—Motion for a Select Committee—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May] 1073

Question again proposed:—After short debate, Amendment, by leave, *withdrawn*.

Question proposed, "That Mr. Speaker do now leave the Chair:"—

Income Tax — Motion for a Select Committee—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the mode of assessing the Income and Property Tax, and the principle on which such tax is now levied on industrial, professional, and precarious incomes, and also on incomes derived from life annuities, mines, and other sources, where a portion of the principal as well as interest is annually consumed or included in the yearly returns liable to taxation; and also into the present mode of including gross incomes without allowing for depreciation in railway, manufacturing, and other concerns; and also into the mode of collecting the said tax, and the remuneration paid to surveyors, clerks, collectors, and others; and also into the constitution and duties of the central and local Boards of Income Tax Commissioners,"—(*Mr. Chadwick*,)—instead thereof 1074

After long debate, Question put:—The House *divided*; Ayes 56, Noes 47; Majority 9.

Division List, Ayes and Noes 1097

Scotland—Administration of Justice — Observations, Mr. Craufurd; Reply, The Lord Advocate 1098

Main Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn*:—Committee *deferred* till *Monday* next.

TABLE OF CONTENTS.

LORDS, MONDAY, MAY 22.

Page

UNITED STATES—JOINT HIGH COMMISSION—THE TREATY—QUESTION—RULES OF THE HOUSE—NOTICE OF QUESTIONS—Question, The Marquess of Salisbury; Answer, Earl Granville:—Debate thereon .. 1101

Locomotives Bill [H.L.]—*Presented* (*The Lord Dunmore*); read 1ª (No. 130) .. 1109

COMMONS, MONDAY, MAY 22.

IRELAND—DEATH OF BERNARD YOUNG—Question, Mr. W. Johnston; Answer, The Marquess of Hartington 1109

POST OFFICE—COMPENSATION TO TELEGRAPH CLERKS—Question, Mr. Charley; Answer, Mr. Monsell 1110

ELEMENTARY EDUCATION ACT—INSPECTORS OF SCHOOLS—Question, Mr. Dixon; Answer, Mr. W. E. Forster 1111

ARMY—ROYAL TYRONE FUSILIERS—Questions, Mr. Serjeant Sherlock, Colonel Stuart Knox; Answers, The Marquess of Hartington 1111

IRELAND—JURY PANELS OF MONAGHAN—Question, Mr. Callan; Answer, The Marquess of Hartington 1112

ARMY—ANGLESEY MILITIA—Question, Mr. Raikes; Answer, Mr. Cardwell 1113

BETTING ADVERTISEMENTS—Question, Mr. Anderson; Answer, Mr. Bruce 1114

INCOME TAX ON RETIRED PAY OF INDIAN OFFICERS—Question, Colonel Sykes; Answer, The Chancellor of the Exchequer 1115

CRIMINAL LAW—CONVICTION OF CHILDREN AT ALDERSHOT—Question, Mr. Straight; Answer, Mr. Bruce 1115

THE ECCLESIASTICAL TITLES ACT REPEAL BILL—THE SELECT COMMITTEE—Question, Mr. Charley; Answer, Mr. Gladstone 1117

BANK HOLIDAYS BILL—Question, Mr. M'Laren; Answer, Mr. Speaker .. 1118

Army Regulation Bill [Bill 39]—

Bill *considered* in Committee [*Progress* 18*th May*] 1118

Clause 2 (Sale of Commissions prohibited after a certain day.)

After long time spent therein, Committee report Progress; to sit again upon *Thursday*.

CONTRACTORS ACT—Select Committee *appointed* 1170

Intoxicating Liquors (New Licences) Bill—*Ordered* (*Sir Robert Anstruther, Sir Harcourt Johnstone, Mr. Morrison, Mr. Thomas Hughes, Mr. Wentworth Beaumont, Mr. Samuelson, Mr. Mundella, Mr. Pease*); *presented*, and read the first time [Bill 157] 1170

Land Drainage Supplemental Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 158] 1170

LORDS, TUESDAY, MAY 23.

Canada Bill (No. 112)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Kimberley*) .. 1171

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 5th *June* next.

FRANCE AND PRUSSIA—SINKING OF BRITISH VESSELS IN THE SEINE—Question, Earl Stanhope; Answer, Earl Granville 1172

COMMONS, TUESDAY, MAY 23.

IRELAND—SUSPENSION OF THE HABEAS CORPUS ACT—Question, Mr. Callan; Answer, The Marquess of Hartington 1174

PARLIAMENT—PUBLIC BUSINESS—Question, Sir John Gray; Answer, Mr. Gladstone 1175

ARMY ENLISTMENT—Question, Colonel C. Lindsay; Answer, Mr. Cardwell 1176

SILVER COINAGE—Question, Mr. G. B. Gregory; Answer, The Chancellor of the Exchequer 1176

IRELAND—GENERAL VALUATION—Question, Mr. Stacpoole; Answer, Mr. Baxter 1177

NAVY — CASE OF COMMANDER CHEYNE—Question, Mr. Sclater-Booth; Answer, Mr. Shaw Lefevre 1177

EDUCATION—BUILDING GRANTS—NEW CODE, 1871 — Question, Mr. C. S. Read; Answer, Mr. W. E. Forster 1178

BETTING ADVERTISEMENTS—Question, Mr. Anderson; Answer, Mr. Bruce 1178

GAME LAWS—Question, Mr. Hunt; Answer, Mr. Bruce 1179

PARLIAMENT—THE DERBY DAY—
Moved, "That the House, at its rising, adjourn till *Thursday*,"—(*Mr. Gladstone*) 1180
After short debate, Motion *agreed to*.

University Tests Bill [Bill 145]—
Order for Consideration of Lords' Amendments read 1181
Moved, "That the said Amendments be now taken into Consideration."
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Thursday next,"—(*Mr. Cavendish Bentinck.*)
After short debate, Question, "That the word 'now' stand part of the Question," put, and *agreed to*:—Main Question put, and *agreed to*:—Lords' Amendments *considered*.
After debate, Amendments *agreed to*; one amended, and *agreed to*; several *disagreed to*.
Committee *appointed*, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendments to which this House hath disagreed:"—List of the Committee ... 1209
Reasons for disagreeing to certain of The Lords Amendments *reported*, and *agreed to*:—To be communicated to The Lords.
And, it being now Seven of the clock, the House suspended its sitting.

The House resumed its sitting at Nine of the clock.

WATER SUPPLY (LONDON)—RESOLUTION—
Moved, "That, in the opinion of this House, the Water supplied to householders in London should be derived from pure sources, and should be delivered on the constant system,"—(*Mr. Kay-Shuttleworth*) 1209
After debate, *Previous Question*, "That that Question be now put,"—(*Mr. Stephen Cave*,)—put, and *negatived*.

Metalliferous Mines Regulation Bill—*Ordered* (*Mr. Secretary Bruce, Mr. Winterbotham*); *presented*, and read the first time [Bill 162] 1249

Metropolitan Commons Supplemental (No. 2) Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 163] ... 1249

LORDS, THURSDAY, MAY 25.

University Tests Bill—
Returned from the Commons with certain of the amendments *agreed to*, with amendments, and other amendments *disagreed to*, with Reasons for such disagreement: The said Reasons, and Bill with the amendments, to be *printed*; and to be taken into consideration on *Tuesday* the 13*th of June* next. (Nos. 137 and 138.)

Their Lordships met;—and having gone through the Business on the Paper, without debate— [House adjourned.]

COMMONS, THURSDAY, MAY 25.

SCOTLAND—POSTAL COMMUNICATION—Question, Mr. Cameron; Answer, Mr. Monsell 1251

WEST INDIES—NEVIS—Question, Mr. W. Johnston; Answer, Mr. Knatchbull-Hugessen 1251

[*May* 25.] Page

HONG KONG—GAMBLING HOUSES—Question, Colonel Sykes; Answer, Mr. Knatchbull-Hugessen 1252
ARMY—THE AUTUMN CAMP—Questions, Viscount Barrington, Colonel Loyd Lindsay; Answers, Mr. Cardwell 1253
FRANCE—PARIS COMMUNAL AUTHORITIES—Question, Mr. Whalley; Answer, Viscount Enfield 1254
PARLIAMENT — ACCOMMODATION FOR MEMBERS — Questions, Mr. Macfie; Answers, Mr. Ayrton 1255
EDUCATION—ENDOWED SCHOOLS—Questions, Mr. Heygate; Answers, Mr. W. E. Forster 1256
RAILWAY ACCIDENT AT BROCKLEY WHINS — Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Chichester Fortescue 1257
ARMY REGULATION BILL—COMMISSIONS—Questions, Lord Elcho; Answers, Mr. Cardwell 1258
CAPE OF GOOD HOPE—ORANGE FREE STATE—Question, Mr. Harvey Lewis; Answer, Mr. Knatchbull-Hugessen 1259
WRITERS IN THE CUSTOMS—LEAVE OF ABSENCE—Question, Colonel Beresford; Answer, The Chancellor of the Exchequer 1260
NAVY—STEAM COAL—Question, Sir John Hay; Answer, Mr. Goschen .. 1260
ARMY—LODGINGS OF SERGEANT MAJORS—Question, Colonel Ruggles-Brise; Answer, Mr. Cardwell 1261
ARMY—EXCHANGES—Question, Lord Eustace Cecil; Answer, Mr. Cardwell 1261
ADULTERATED TEA—Question, Lord Eustace Cecil; Answer, The Chancellor of the Exchequer 1262
POTTERY IN THE INTERNATIONAL EXHIBITION—Question, Mr. A. Brown; Answer, Mr. Bowring 1262
PARLIAMENT—BUSINESS OF THE HOUSE—Question, Mr. Disraeli; Answer, Mr. Gladstone 1263
FRANCE — DESTRUCTION OF PARIS — Questions, Sir Robert Peel, Mr. Baillie Cochrane; Answers, Mr. Gladstone 1264
ARMY REGULATION BILL—WAR OFFICE LETTER—Question, Colonel Stuart Knox; Answer, Mr. Cardwell 1265
FRANCE — BRITISH EMBASSY AT PARIS—Question, Mr. A. F. Egerton; Answer, Viscount Enfield 1266
BLACKWATER BRIDGE BILL—Questions, Mr. Sclater-Booth, Mr. Hunt; Answers, Mr. Speaker, Mr. Gladstone, Mr. Bouverie 1266
METROPOLIS WATER BILL—Question, Mr. Craufurd; Answer, Mr. Bruce 1267

Army Regulation Bill [Bill 39]—
Bill *considered* in Committee [*Progress* 22nd *May*] 1267
Clause 3 (Compensation to officers holding saleable commissions.)
After long time spent therein, Committee report Progress; to sit again upon *Monday* 5th June.
Division List, Ayes and Noes 1305

PARLIAMENT—WHITSUNTIDE HOLIDAYS—Observations, Mr. Gladstone .. 1308

SUPPLY—CIVIL SERVICE ESTIMATES—VOTES ON ACCOUNT—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "it is not expedient, at so late a period of the Session, to grant any further Votes on account for Civil Service Estimates,"—(*Mr. Cross,*)—instead thereof ... 1308
Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

[*May* 25.] Page

SUPPLY—Civil Service Estimates—*considered* in Committee.

(In the Committee.)

Resolved, That a further sum, not exceeding £843,850, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services, to the 31st day of March 1872 : viz. 1314

[Then the several Services are set forth.]

Resolution to be reported *To-morrow,* at Two of the clock; Committee to sit again *To-morrow,* at Two of the clock.

Metropolis Water Bill [Bill 40]—

Moved, "That the Bill be now read a second time,"—(*Mr. Bruce*) .. 1314

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Craufurd:*)—Question proposed, "That the word 'now' stand part of the Question."

Moved, "That the Debate be now adjourned,"—(*Sir Henry Hoare:*)—

Afer short debate, Question put:—The House *divided;* Ayes 57, Noes 87; Majority 30.

Original Question again proposed:—*Moved,* "That this House do now adjourn,"—(*Mr. Collins:*)—After further short debate, Motion, by leave, *withdrawn:*—Debate *adjourned* till *To-morrow,* at Two of the clock.

Courts of Justice (Additional Site) Bill—Select Committee *nominated:* —List of the Committee 1323

Ordered, That all Petitions presented during the present Session against the said Bill be referred to the said Committee; and such of the Petitioners as pray to be heard by themselves, their Counsels or agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the said Bill against the said Petitions,—(*Mr. Ayrton.*)

COMMONS, FRIDAY, MAY 26.

Income Tax Assessments—Question, Mr. Pell; Answer, The Chancellor of the Exchequer 1324

Criminal Law—Case of Mrs. Ingham—Question, Mr. Wilmot; Answer, Mr. Bruce 1325

Conveyance of Foul Linen in Cabs—Question, Mr. Eykyn; Answer, Mr. Bruce 1326

Diplomatic Establishments in Germany—Question, Mr. Muntz; Answer, Viscount Enfield 1326

French Refugees—Question, Lord Elcho; Answer, Mr. Bruce .. 1327

Metropolis—Brompton Cemetery—Question, Mr. Whalley; Answer, Mr. Ayrton 1328

Protection of Life and Property in certain Parts of Ireland Bill (*Lords*) [Bill 129]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*The Marquess of Hartington*) 1328

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Downing,*)—instead thereof.

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 162, Noes 7; Majority 155.

Division List, Noes 1349

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to:*—Bill *considered* in Committee.

After short time spent therein, Committee report Progress; to sit again *this day.*

[*May* 26.] *Page*

And it being now Seven of the Clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the Clock.

SUPPLY—Resolution [May 25] *reported* 1355
Motion made, and Question proposed, "That the said Resolution be now read the second time:"—Debate arising:—Debate *adjourned* till *this day*.

Protection of Life and Property in certain Parts of Ireland Bill (*Lords*) [Bill 129]—
Bill *considered* in Committee 1355
After long time spent therein, Bill *reported*, with Amendments; as amended, to be *considered* upon *Thursday* next.

SUPPLY—CIVIL SERVICE ESTIMATES—
Order read, for resuming Adjourned Debate on Question [26th May], "That the Resolution which was then reported from the Committee of Supply be now read a second time:"—Question again proposed:—Debate *resumed* 1367
After short debate, Question put, and *agreed to*:—Resolution *agreed to*.

Metropolis Water Bill [Bill 40]—
Order read, for resuming Adjourned Debate on Amendment proposed to Question [25th May], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Craufurd*:)—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 1370
After short debate, Amendment and Motion, by leave, *withdrawn*:—Bill *withdrawn*.

Metropolis Water (No. 2) Bill—*Ordered* (*Mr. Secretary Bruce, Mr. Winterbotham*); *presented*, and read the first time [Bill 166] 1370

Sequestration of Benefices Bill—*Ordered*, That the Sequestration of Benefices Bill be referred to the Select Committee on the Benefices Resignation Bill,—(*Mr. Russell Gurney*) 1371

Local Government (Ireland) Bill—*Ordered* (*The Marquess of Hartington, Mr. Solicitor General for Ireland*); *presented*, and read the first time [Bill 165] 1371

COMMONS, THURSDAY, JUNE 1.

NATIONAL DEFENCES—ARMAMENT OF THE FORTS—Questions, Sir John Hay; Answers, Sir Henry Storks 1371
PARAGUAY—DR. WILLIAM STEWART—Question, Mr. M'Arthur; Answer, Viscount Enfield 1372
ARMY REGULATION BILL — COMMISSIONS — Questions, Major Arbuthnot, Colonel Wilson Patten; Answers, Mr. Cardwell 1372
PARLIAMENT — PUBLIC BUSINESS — Question, Observations, Mr. Beckett Denison, Mr. Spencer Walpole; Reply, Mr. Bruce 1373
ARMY—LIMERICK MILITIA—Question, Mr. Stacpoole; Answer, The Marquess of Hartington 1373
IRELAND—ADVANCES TO IRISH TENANTS—Question, Mr. Stapleton; Answer, The Marquess of Hartington 1374
IRELAND—CENSUS IN ARMAGH—Question, Mr. Vance; Answer, The Marquess of Hartington 1374

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

METROPOLIS—HYDE PARK—HAMILTON GARDENS—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the opening out of a new thoroughfare through Hamilton Place northwards into Park Lane affords a convenient opportunity for reviewing the circumstances under which an integral portion of Hyde Park, known as Hamilton Gardens, became diverted from public to private uses, under the reign of a former Sovereign, an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct the Commissioners of Woods and Forests to restore Hamilton Gardens to the Park, and to the unrestricted enjoyment of all classes of Her Subjects,"—(*Mr. Denison*,)—instead thereof ... 1375

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 99, Noes 52; Majority 47.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee.

(In the Committee.)

(1.) £34,054, to complete the sum for the Offices of the House of Lords.—After short debate, Vote *agreed to* ... 1381

(2.) Motion made, and Question proposed, "That a sum, not exceeding £38,082, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Offices of the House of Commons" ... 1382

Motion made, and Question proposed, "That the Item of £105, for the Attendant on Ventilation, be omitted from the proposed Vote,"—(*Mr. Mellor*.)—After short debate, Motion, by leave, *withdrawn :*—Original Question put, and *agreed to.*

(3.) £41,464, to complete the sum for the Treasury.—After short debate, Vote *agreed to* 1384

(4.) £66,930, to complete the sum for the Home Department.

(5.) £49,174, to complete the sum for the Foreign Office.—After short debate, Vote *agreed to* ... 1385

(6.) £23,749, to complete the sum for the Colonial Office.

(7.) £42,385, to complete the sum for the Privy Council Office.—After short debate, Vote *agreed to* ... 1389

(8.) £73,390, to complete the sum for the Board of Trade Office.—After short debate, Vote *agreed to* ... 1390

(9.) Motion made, and Question proposed, "That a sum, not exceeding £2,089, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Office of the Lord Privy Seal" ... 1391

Motion made, and Question proposed, "That the Vote be omitted,"—(*Mr. Dillwyn.*)—After short debate, Question put:—The Committee *divided;* Ayes 73, Noes 44; Majority 29.

(10.) £13,456, to complete the sum for the Charity Commission.—After short debate, Vote *agreed to* ... 1396

(11.) £12,982, to complete the sum for the Civil Service Commission.—After short debate, Vote *agreed to* ... 1409

(12.) £14,348, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.—After short debate, Vote *agreed to* ... 1412

(13.) £8,350, to complete the sum for the Inclosure and Drainage Acts (Imprest Expenses).

(14.) £28,353, to complete the sum for the Comptroller and Auditor General of the Exchequer.

(15.) £30,250, to complete the sum for the Department of Registrar General of Births.

(16.) £11,732, to complete the sum for the Commissioners in Lunacy in England.

(17.) £28,375, to complete the sum for the Mint, including Expenses of Coinage.

(18.) £16,206, to complete the sum for the National Debt Office.

(19.) £24,539, to complete the sum for the Patent Office.—After short debate, Vote *agreed to* ... 1414

(20.) Motion made, and Question proposed, "That a sum, not exceeding £16,866, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Department of Her Majesty's Paymaster General in London and Dublin" ... 1417

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

Motion made, and Question, "That a sum, not exceeding £16,819, &c.,"—(*Mr. Hermon,*) —put, and *negatived* :—Original Question put, and *agreed to.*

(21.) Motion made, and Question proposed, "That a sum, not exceeding £171,648, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for Expenses connected with the Administration of the Laws relating to the Poor" ... 1418

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £170,148, &c."—(*Mr. Goldney.*)—After further short debate, Motion, by leave, *withdrawn.*—Original Question put, and *agreed to.*

(22.) £17,523, to complete the sum for the Public Record Office.

(23.) £3,453, to complete the sum for the Public Works Loan, &c. Commissions.

(24.) £1,819, to complete the sum for the Registrars of Friendly Societies.—After short debate, Vote *agreed to* 1420

(25.) £289,531, to complete the sum for the Stationery Office and Printing.—After short debate, Vote *agreed to* 1421

(26.) Motion made, and Question proposed, "That a sum, not exceeding £19,961, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Office of Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments" 1421

Motion made, and Question, "That a sum, not exceeding £17,961, &c."—(*Mr. Miller,*)—put, and *negatived.*—Original Question put, and *agreed to.*

(27.) £29,741, to complete the sum for the Office of Works and Public Buildings.—After short debate, Vote *agreed to* 1423

(28.) Motion made, and Question proposed, "That a sum, not exceeding £19,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for Her Majesty's Foreign and other Secret Services" 1424

After short debate, Motion made, and Question, "That a sum, not exceeding £14,000, &c."—(*Mr. Rylands,*)—put, and *negatived.*—Original Question put, and *agreed to.*

(29.) Motion made, and Question proposed, "That a sum, not exceeding £4,476, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly paid from the Hereditary Revenue" ... 1429

Motion made, and Question proposed, "That a sum, not exceeding £4,236, &c."—(*Mr. Muntz.*)—After short debate, Question put:—The Committee *divided;* Ayes 35, Noes 88; Majority 53:—Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

PARLIAMENT—PUBLIC BUSINESS—MORNING SITTING—Question, Colonel Wilson Patten; Answer, Mr. Bruce 1433

Oyster and Mussel Fisheries Supplemental (No. 2) Bill—*Ordered* (*Mr. Chichester Fortescue, Mr. Arthur Peel*) 1433

Drainage and Improvement of Lands (Ireland) Supplemental Bill—*Ordered* (*Mr. William Henry Gladstone, Mr. Baxter*); *presented,* and read the first time [Bill 173] 1434

LODGERS' GOODS PROTECTION BILL—Select Committee *nominated* :—List of the Committee 1434

COMMONS, FRIDAY, JUNE 2.

ADULTERATION OF TEA—Question, Lord Eustace Cecil; Answer, The Chancellor of the Exchequer 1434

FRANCE—LAW OF EXTRADITION—Question, Mr. Bourke; Answer, Mr. Bruce 1435

FRANCE—STATE OF PARIS—Question, Mr. Locke; Answer, Viscount Enfield 1435

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE NATIONAL DEBT—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is inexpedient to make provision for the reduction of the National Debt by an annual charge upon the Imperial Revenue until a considerable diminution has been made in the Customs and Excise Duties now levied upon articles of domestic consumption,"—(*Mr. James White,*)—instead thereof ... 1436

SUPPLY—Order for Committee—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

ARMY—SUPPLY OF POWDER—MOTION FOR A PAPER—
Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of the Report of Colonel Campbell (the Superintendent of the Royal Gun Factories) as to experiments made with the 35-ton Gun with ordinary and with pebble powder; and of the Chief Superintendent of Waltham Abbey (Colonel Younghusband's) Report, dated the 4th day of March, 1869,"—(*Colonel Beresford,*)—instead thereof 1470

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

VETERINARY DEPARTMENT OF THE PRIVY COUNCIL—MOTION FOR A SELECT COMMITTEE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the cost, constitution, and working of the Veterinary Department of the Privy Council,"—(*Mr. Clare Read,*)—instead thereof 1481

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, [House counted out.]

LORDS, MONDAY, JUNE 5.

ARMY RESERVE AND ENLISTMENT—Observations, Lord Sandhurst; Reply, Lord Northbrook:—Debate thereon 1499

House of Lords Appellate Jurisdiction Bill [H.L.]—*Presented* (*The Lord Westbury*); read 1ª (No. 147) 1531

COMMONS, MONDAY, JUNE 5.

BANK HOLIDAYS BILL—Questions, Mr. Macfie; Answers, The Lord Advocate 1532

GLEBE LOANS (IRELAND) ACT—Question, Mr. Stacpoole; Answer, The Marquess of Hartington 1533

POOR LAW DISPENSARIES—Question, Dr. Lush; Answer, Mr. Stansfeld .. 1533

SCOTLAND—RATES FOR CHURCH REPAIRS—Question, Mr. M'Laren; Answer, The Lord Advocate 1533

GOVERNMENT LAW REFORM BILLS—Question, Mr. Denman; Answer, The Attorney General 1533

THE DANUBIAN PRINCIPALITIES—Question, Mr. William Cartwright; Answer, Viscount Enfield 1534

ELECTION INQUIRIES EXPENSES—Question, Mr. Broadley; Answer, Mr. Gladstone 1534

ARMY—PROMOTION BY SELECTION—Question, Lord Garlies; Answer, Mr. Cardwell 1535

EDUCATION (SCOTLAND) BILL—Question, Dr. Lyon Playfair; Answer, Mr. Gladstone 1535

NAVY—ADMIRALTY BROKERS—Question, Sir John Hay; Answer, Mr. Goschen 1536

ENCROACHMENTS ON ENGLISH FISHERIES—Question, Mr. J. S. Hardy; Answer, Mr. Chichester Fortescue 1537

EAST AFRICAN SLAVE TRADE—Question, Mr. Kinnaird; Answer, Viscount Enfield 1537

METROPOLIS—BETHNAL GREEN SCIENCE AND ART MUSEUM—Question, Mr. C. Reed; Answer, Mr. Ayrton 1538

POST OFFICE EMPLOYES—TELEGRAPHS—Question, Mr. Dixon; Answer, Mr. Monsell 1538

METROPOLIS—HOUSES OF PARLIAMENT APPROACHES—Question, Mr. W. H. Smith; Answer, Mr. Ayrton 1539
TREATY OF WASHINGTON—Question, Mr. Dickinson; Answer, Mr. Gladstone 1539
APPEALS TO THE JUDICIAL COMMITTEE—Question, Major General Forester; Answer, Mr. Bruce 1540
ARMY — SURREY MILITIA — Question, Captain Archdall; Answer, Mr. Cardwell 1540
CROWN RIGHTS ON THE ESSEX COAST—Question, Colonel Ruggles-Brise; Answer, Mr. Baxter 1541
KEW BRIDGE — Question, Lord George Hamilton; Answer, Sir James Lawrence 1541
COMMUNICATION FROM THE CHINESE GOVERNMENT — Question, Sir John Lubbock; Answer, Viscount Enfield 1542
PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL—PUBLIC BUSINESS—Observations, Mr. W. H. Gregory; Reply, Mr. Gladstone :—Short debate thereon 1542

Army Regulation Bill [Bill 39]—

Bill *considered* in Committee [*Progress 25th May*] 1544
Clause 3 (Compensation to officers holding saleable commissions.)
After long time spent therein, Committee report Progress.
Moved, "That this House will To-morrow, at Two of the clock, again resolve itself into the said Committee,"—(*Mr. Cardwell.*)
Amendment proposed, to leave out the words "To-morrow, at Two of the clock," in order to insert the words "upon Thursday,"—(*Mr. Bentinck,*)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—*Moved*, "That the Debate be now adjourned,"—(*Mr. Collins:*)—After short debate, Question put:—The House *divided;* Ayes 174, Noes 245; Majority 71.
Question again proposed, "That the words proposed to be left out stand part of the Question:"—*Moved*, "That this House do now adjourn,"—(*Mr. Knight:*)—Question put:—The House *divided;* Ayes 154, Noes 225; Majority 71.
Question again proposed, "That the words proposed to be left out stand part of the Question:"—*Moved*, "That the Debate be now adjourned,"—(*Lord George Hamilton:*)—Question put, and *negatived.*
Question again proposed, "That the words proposed to be left out stand part of the Question:"—Amendment and Motion, by leave, *withdrawn:*—Committee to sit again upon *Thursday*.

Brixton Prison Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 177] 1598
Local Government Supplemental (No. 3) Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 178] 1598
New Mint Building Site Bill—*Ordered* (*Mr. Ayrton, Mr. Baxter*); *presented*, and read the first time [Bill 176] 1598

LORDS, TUESDAY, JUNE 6.

Pharmacy Bill [H.L.]—*Presented* (*The Lord President*); read 1ª (No. 153) ... 1598
Union of Benefices Bill [H.L.]—*Presented* (*The Lord Bishop of Exeter*); read 1ª (No. 155) 1598

COMMONS, TUESDAY, JUNE 6.

CASE OF MARY LOVELL—Question, Mr. P. A. Taylor; Answer, Mr. Bruce 1599
CESSION OF HELIGOLAND—Question, Sir John Hay; Answer, Viscount Enfield 1601
ARMY—RECRUITING—Question, Colonel C. Lindsay; Answer, Mr. Cardwell 1601

[*June* 6.] *Page*

ARMY—VOLUNTEERS AND HYDE PARK—Questions, Mr. Armitstead, Sir John Trelawny; Answers, Mr. Speaker, Mr. Ayrton 1601

COMMERCIAL TREATY WITH FRANCE—Question, Mr. Miall; Answer, Viscount Enfield 1602

STATE OF CUBA—Question, Mr. R. N. Fowler; Answer, Viscount Enfield .. 1602

STATUES OF STATESMEN—Question, Sir John Pakington; Answer, Mr. Gladstone 1603

ARMY — PROMOTION IN THE ARTILLERY — Question, Major Arbuthnot; Answer, Mr. Cardwell 1604

MANNING THE NAVY—MOTION FOR A ROYAL COMMISSION—

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the present means of manning the Navy, the keeping up of the requisite supply of men for the Naval Reserves, and to consider whether the services of the seamen of the Mercantile Marine, and the seafaring population generally might not be made more readily available for the Naval Service of the Country in times of sudden emergency or war,"—(*Mr. Graves*) ... 1604

After debate, Motion, by leave, *withdrawn.*

CURRENCY LAWS—RESOLUTION—(*Mr. Delahunty*) 1637

[House counted out.]

COMMONS, WEDNESDAY, JUNE 7.

Burials Bill [Bill 7]—

Order for Committee read :—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Osborne Morgan*) 1637

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day month, resolve itself into the said Committee,"—(*Mr. Cawley,*)—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question :"—The House *divided;* Ayes 171, Noes 100; Majority 71.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to* :—Bill *considered* in Committee.

After long time spent therein, Committee report Progress; to sit again *To-morrow.*

Public Prosecutors Bill [Bill 35]—

Order for Committee read 1667

After short debate, Order *discharged* :—Bill *withdrawn.*

Registration of Births Bill—*Ordered* (*Dr. Lyon Playfair, Sir Charles Adderley, Mr. Bouverie, Mr. Sclater-Booth, Sir George Grey, Mr. Spencer Walpole*); *presented,* and read the first time [Bill 180] 1668

LORDS, THURSDAY, JUNE 8.

EMPLOYMENT IN THE POST OFFICE—Question, The Earl of Lauderdale; Answer, Lord Northbrook 1668

ARMY—VOLUNTEERS FOR INDIA—MOTION FOR A RETURN—

Moved, That an humble Address be presented to Her Majesty for the following Return :
"Estimate of the number of soldiers above 20 years of age who will be required as volunteers from corps of all arms at home to complete the establishments of corps and of drafts ordered to proceed to India in the season 1871-72,"—(*The Earl of Longford*) 1669

After short debate, Motion amended, and *agreed to.*

Ordered, That an humble Address be presented to Her Majesty for the following Return :
Number of soldiers above 20 years of age who volunteer from corps of all arms at home to complete the establishments of corps and of drafts ordered to proceed to India in the season 1871-72.

TABLE OF CONTENTS.

COMMONS, THURSDAY, JUNE 8.

Page

Army—The 84th Regiment—Question, Major Dickson; Answer, Sir Henry Storks 1674

Army—The 65th Regiment—Recruits for Indian Service—Question, Captain Talbot; Answer, Mr. Cardwell 1674

Post Office—Telegraph Department—Question, Mr. H. A. Herbert; Answer, Mr. Monsell 1675

Gun Licence—The Volunteers—Question, Mr. Fletcher; Answer, The Chancellor of the Exchequer 1676

Military Attache at St. Petersburg—Question, Mr. Rylands; Answer, Viscount Enfield 1677

India—Civil Service Furlough—Question, Mr. A. Bass; Answer, Mr. Grant Duff 1677

Army—The Martello Towers—Question, Mr. Buxton; Answer, Sir Henry Storks 1677

Parliament—Recent "Counts-out"—Question, Observations, Sir John Pakington 1678
Moved, "That this House do now adjourn,"—(*Sir John Pakington.*)
Reply, Mr. Cardwell:—After debate, Motion, by leave, *withdrawn.*

Army Regulation Bill [Bill 39]—
Bill *considered* in Committee [*Progress 5th June*] 1690
Clause 3 (Compensation to officers holding saleable commissions.)
After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Bills of Exchange and Holidays Bill—*Ordered* (*Mr. Watkin Williams, Mr. Locke*); *presented*, and read the first time [Bill 182] 1744

Kingsholm District Boundary Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 185] 1744

Game Birds (Ireland) Bill—*Ordered* (*Mr. Henry Fitzwilliam, Viscount St. Lawrence, Colonel Forde*); *presented*, and read the first time [Bill 184] 1745

Life Assurance Companies Act (1870) Amendment Bill—*Ordered* (*Mr. Chichester Fortescue, Mr. Arthur Peel*); *presented*, and read the first time [Bill 183] ... 1745

LORDS, FRIDAY, JUNE 9.

France—The Communist Insurrection at Paris—British Subjects—Question, The Earl of Airlie; Answer, Earl Granville 1745

Ecclesiastical Courts Bill (No. 84)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Shaftesbury*) .. 1746
After debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

Ecclesiastical Procedure and Registry Bill (No. 85)—
Bill read 2ª, and *committed* to a Committee of the Whole House on *Friday* next ... 1773

Dogs Bill (No. 134)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Morley*) .. 1773
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday*, the 19*th instant.*

COMMONS, FRIDAY, JUNE 9.

France—The Communist Insurrection at Paris—British Subjects—Question, Mr. J. G. Hamilton; Answer, Viscount Enfield .. 1775

Silver Coinage—Question, Sir David Wedderburn; Answer, The Chancellor of the Exchequer 1776

France—The Communist Insurrection—English Prisoners at Satory—Question, Sir Charles W. Dilke; Answer, Viscount Enfield .. 1777

Cattle Trade—Question, Mr. Norwood; Answer, Mr. W. E. Forster .. 1778

[*June* 9.] *Page*

Protection of Life and Property in certain Parts of Ireland Bill (*Lords*) [Bill 129]—

Bill, as amended, *considered* 1779
After short debate, Bill read the third time, and *passed*, with Amendments.

Army Regulation Bill [Bill 39]—

Bill *considered* in Committee [*Progress 8th June*] 1794
Clause 3 (Compensation to officers holding saleable commissions).
After short time spent therein, Committee report Progress; to sit again upon *Monday* next.
And at Seven of the Clock the House suspended its Sitting.

The House resumed its Sitting at Nine of the Clock.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

BRITISH SETTLEMENTS ON THE WEST COAST OF AFRICA—Observations, Mr. M'Arthur; Reply, Mr. Knatchbull-Hugessen 1806
After short debate, [House counted out.]

LORDS, MONDAY, JUNE 12.

THE TREATY OF WASHINGTON—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased not to sanction or to ratify any convention for the settlement of the Alabama Claims by which Her Majesty will approve of any conditions, terms, or rules by which the arbitrator or arbitrators will be bound other than the law of nations and the municipal law of the United Kingdom existing and in force at the period of the late civil war in the United States when the alleged depredations took place,"—(*The Earl Russell*) 1823
After long debate, on Question? *Resolved* in the *Negative*.

Lunacy Regulation Amendment Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 171) 1901

COMMONS, MONDAY, JUNE 12.

ARMY—PROMOTION IN THE ROYAL ARTILLERY—Question, Major Arbuthnot; Answer, Captain Vivian 1901
SCOTLAND—NEW POST OFFICE AT ABERDEEN—Question, Colonel Sykes; Answer, Mr. Monsell 1902
EDUCATION—CHILDREN IN INDUSTRIAL SCHOOLS—Question, Mr. Bowring; Answer, Mr. Bruce 1902
POLICE—CASE OF INSPECTOR SILVERTON—Question, Mr. Eykyn; Answer, Mr. Bruce 1903
UNITED STATES—TREATY OF WASHINGTON—Question, Sir Roundell Palmer; Answer, Mr. Gladstone 1903
PARLIAMENT—PUBLIC BUSINESS—Question, Mr. Pim; Answer, Mr. Gladstone 1905
REAL ESTATE—Question, Sir Henry Hoare; Answer, Mr. Gladstone .. 1905
ARMY REGULATION BILL—Question, Sir George Grey; Answer, Mr. Cardwell 1906
Moved, "That this House do now adjourn,"—(*Mr. Disraeli.*)
After long debate, Motion, by leave, *withdrawn*.
SIERRA LEONE—MR. MONTAGU—Question, Colonel Beresford; Answer, Mr. Knatchbull-Hugessen 1928
GAME LAWS—Question, Lord Eustace Cecil (for Sir Henry Selwin-Ibbetson); Answer, Mr. Bruce 1930
ARMY—RECRUITING—Question, Lord Eustace Cecil; Answer, Mr. W. M. Torrens 1930

Army Regulation Bill [Bill 39]—
Bill *considered* in Committee [*Progress* 9*th June*] 1931
Clause 3 (Compensation to officers holding saleable commissions.)
After long time spent therein, Committee report Progress; to sit again *To-morrow*, at two of the clock.

Ecclesiastical Titles Act Repeal (*re-committed*) **Bill** [Bill 164]—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" 1950
Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Newdegate*,)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 176, Noes 91; Majority 85.
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*
Bill *considered* in Committee 1960
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow*, at Two of the clock.

Dean Forest and Hundred of St. Briavels Bill—*Ordered* (*Mr. Baxter, Mr. William Henry Gladstone*); *presented*, and read the first time [Bill 190] 1961

Sewage Utilisation Supplemental Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 186] 1961

Local Government Supplemental (No. 4) Bill—*Ordered* (*Mr. Winterbotham, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 187] 1961

Industrial and Provident Societies Amendment Bill—*Ordered* (*Mr. Thomas Hughes, Mr. Morrison, Sir Charles Adderley, Mr. Thomas Brassey, Mr. William Henry Smith*); *presented*, and read the first time [Bill 188] 1961

Public Health (Scotland) Supplemental Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 189] 1961

Vaccination Act (1867) Amendment Bill—*Ordered* (*Mr. William Edward Forster, Mr. Baxter*); *presented*, and read the first time [Bill 191] 1962

LORDS, TUESDAY, JUNE 13.

University Tests Bill (No. 138)—
Commons' Amendments to the Lords' Amendments, and Commons' Reasons for disagreeing from some of the Amendments made by the Lords *considered* (according to Order) 1962
Moved, to insist on Clause A to which the Commons disagree,—(*The Marquess of Salisbury.*)
After short debate, on Question, Whether to insist? their Lordships *divided;* Contents 89, Not-Contents 129; Majority 40:—*Resolved* in the *Negative.*
Division List, Contents and Not-Contents 1971
The rest of the Amendments to which the Commons disagree *not insisted on;* and the Commons Amendments *agreed to.*

Betting Bill (No. 129)—
Moved, "That the Bill be now read 2^a,"—(*The Earl of Morley*) .. 1973
Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

The Irish Land Act—Observations, Lord Greville; Reply, The Lord Chancellor 1974

Clerk of the Peace Bill [H.L.]—*Presented* (*The Lord Dufferin*); read 1^a (No. 180) 1977

Burial Grounds Bill [H.L.]—*Presented* (*The Earl Beauchamp*); read 1^a (No. 181) .. 1977

COMMONS, TUESDAY, JUNE 13.

Page

BONELLI'S TELEGRAPH COMPANY — Question, Mr. Seely; Answer, Mr. Monsell 1977
IRELAND—LORD JUSTICE CHRISTIAN AND THE IRISH LAND ACT—Questions, Sir John Gray, Mr. Maguire; Answers, Mr. Gladstone .. 1978
EDUCATION (SCOTLAND) BILL — Questions, Mr. M'Laren, Colonel Sykes; Answers, Mr. Gladstone 1982
ARMY REGULATION BILL—Questions, Lord Garlies, Colonel Jervis, Mr. Hunt, Colonel Stuart Knox; Answers, Mr. Cardwell, The Chancellor of the Exchequer 1983
ARMY — CAPITATION ALLOWANCE TO VOLUNTEERS—Question, Mr. Winn; Answer, Mr. Cardwell 1984

Army Regulation Bill [Bill 39]—

Bill *considered* in Committee [*Progress* 12*th June*] 1985
Clause 4 (Compensation to officers of certain Indian regiments.)
Clause 5 (Provision for expense of compensating officers) .. 1986

PART II.—*Army Enlistment.*

Clause 6 (Rules as to enlistment.)
After some time, Committee report Progress; to sit again upon *Thursday* next.

And it being now ten minutes to Seven of the Clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the Clock.

NAVY—NAVAL CADETS—RESOLUTION—
Moved, "That it is expedient to adopt the recommendations of the Committee appointed by the Admiralty as to the training of Naval Cadets,"—(*Mr. Brassey*) ... 2011
After short debate, Motion, by leave, *withdrawn.*

INDIA—EAST INDIA ADMINISTRATION—RESOLUTION—
Moved, "That, in order to make an inquiry into the finances and financial administration of India as complete and satisfactory as possible, this House is of opinion that it would be expedient to obtain, either by the granting of a commission or by some other means, evidence in India on the subject both from Native and European inhabitants of that Country,"—(*Mr. Fawcett*) 2023
After short debate, Motion, by leave, *withdrawn.*

PARLIAMENT—ADJOURNMENT OF THE HOUSE—
Moved, "That this House do now adjourn,"—(*Mr. Greene*) .. 2042
The House *divided;* Ayes 56, Noes 101; Majority 45.

Sunday Observation Act Repeal Bill—
Moved, "That leave be given to bring in a Bill to repeal the Act of the twenty-ninth year of Charles the Second, chapter seven, intituled 'An Act for the better Observation of the Lord's Day, commonly called Sunday,"—(*Mr. Taylor*) 2043
Debate arising:—*Moved,* "That the Debate be now adjourned,"—(*Lord George Hamilton:*)—The House *divided:*—Ayes 77, Noes 61; Majority 16.
Moved, "That this House do now adjourn,"—(*Mr. Newdegate:*)—The House *divided;* Ayes 58, Noes 67; Majority 9.
Debate *adjourned* till *To-morrow.*

HARROW SCHOOL—MOTION FOR AN ADDRESS—
Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to disallow the Statute now lying upon the Table of the House, by which membership of the Church of England is, for the first time, imposed as a qualification for appointment to the governing body of Harrow School,"—(*Mr. Trevelyan*) ... 2044
Debate arising:—Debate *adjourned* till *Tuesday* next.

CONVENTUAL AND MONASTIC INSTITUTIONS—
Select Committee *nominated:*—List of the Committee 2044

[*June* 13.]

Page

Municipal Corporation Acts Amendment Bill—*Ordered* (*Mr. Dixon, Mr. Mundella, Mr. Stevenson, Mr. Muntz, Mr. Carter*); *presented*, and read the first time [Bill 193] .. 2044

Factory Acts Extension Act (1864) Amendment Bill—*Ordered* (*Mr. Mundella, Viscount Sandon, Mr. Thomas Hughes, Mr. Akroyd, Mr. Henry Herbert, Mr. Samuelson*); *presented*, and read the first time [Bill 194] 2044

Railway Regulation Amendment Bill—*Ordered* (*Mr. Chichester Fortescue, Mr. Arthur Peel*); *presented*, and read the first time [Bill 195] 2044

Hosiery Manufacture (Wages) Bill—*Ordered* (*Mr. Pell, Mr. Wheelhouse, Mr. Frederic Smith, Mr. Joshua Fielden*); *presented*, and read the first time [Bill 196] ... 2044

LORDS.

NEW PEER.

Friday, May 12.

Lieutenant General the Right Honourable Sir William Rose Mansfield, G.C.B., G.C.S.I., created Baron Sandhurst of Sandhurst, in the county of Berks.

SAT FIRST.

Monday, May 8.

The Lord Elgin, after the Death of his Father.

Monday, May 22.

The Lord Clanbrassill, after the Death of his Grandfather.

COMMONS.

NEW WRITS ISSUED.

Monday, June 5.

For *Stafford County* (Western Division), *v.* Hugo Francis Meynell Ingram, esquire, deceased.

Wednesday, June 7.

For *Westmeath*, *v.* William Pollard-Urquhart, esquire, deceased.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

Third Session of the *Twentieth Parliament* of the
United Kingdom of *Great Britain* and *Ireland*,
Appointed to meet 10 December, 1868, and thence
continued till 9 February, 1871, in the Thirty-
Fourth Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, 2nd May, 1871.

MINUTES.]—Public Bills—*First Reading*—Ecclesiastical Courts * (84); Ecclesiastical Procedure and Registry * (85).
Second Reading—Protection of Life and Property in certain Parts of Ireland (77).
Third Reading — Bankruptcy Disqualification * (83), and *passed*.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL—(No. 77.)—(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF KIMBERLEY, in moving that the Bill be now read the second time, said—My Lords, it is always a very painful task to have to propose severe measures of repression; but it is especially so when, as in the present case, so lately as in the last Session of Parliament, the Government asked for, and Parliament gave, very ample powers directed against crime in Ireland. But there is something yet more painful, and that is the spectacle of crime unpunished, and of a great conspiracy overriding and defying the law: and when it is shown that the remedies which have been already applied are insufficient, Her Majesty's Government do not shrink from asking Parliament to give them still further powers. While I recognize in the fullest manner the responsibility of the Government, I altogether repudiate the doctrine that the panacea for all evils in Ireland is to have recourse to a system of arbitrary arrest, and that, in a country where there is no evil more serious than that of want of confidence in the law, the Government and Parliament should have recourse to a suspension of the law, unless there are the strongest proofs of its necessity, and that it cannot be avoided. Besides these considerations, we have to show that the Peace Preservation Act, passed last year, is not sufficient for the purpose we now have in view. It is, at all events, a great satisfaction to me, on moving the second reading of this Bill, to be able to state that, as regards the greater part of Ireland, that Act has been a complete success. The Returns which have been presented to Parliament show what its effect has been. Taking the Return of agrarian outrages, which is the one kind of crime to which I shall specially refer in urging this matter, I find that, immediately after the Peace Preservation Act, agrarian outrages, which had been 391 in January, 303 in February, 356 in March, and 111 in April, fell to 37 in May, to 21 in June, to 17 in July, to 16 in August, to 16 in September, to 11 in October, to 30 in November, and to 20 in December; while during the present year there were 35 in January, 36 in February, and 48 in March. These figures show that the diminution of these crimes after the passing of the Act was immediate, and that it has continued during the autumn and winter, which are the seasons when these outrages are more usually committed. It is right I should also mention what has been the state of crime in Westmeath. In Westmeath the number of outrages of an agrarian nature in January last were 7, in February 10, in March 9; and in the whole year 1870 the total was 103:—so that in that county these crimes do not appear to have materially diminished or increased since the passing of the Act. Westmeath, unfortunately for reasons which I shall presently state, is an exception to the general success of that measure; and I will at once meet an accusation which has been brought against the Government, and which will, doubtless, be repeated to-night, that, being aware that in Westmeath crime had not been sufficiently checked, they did not at once come to Parliament and propose measures for its repression. Now, those who blame the Government for having preferred the course of first laying the facts before Parliament seem to me to show an extreme misconception of the state of the case. Where there is a political conspiracy, like that of the Fenians, and where it is obvious that unless prompt and vigorous measures of repression are adopted, it may break out in open rebellion, there is no course left to the Government but at once to come to Parliament and propose on its own responsibility immediate measures, such as the suspension of the Habeas Corpus Act; while, unless Parliament is prepared to withdraw altogether its confidence from the Government, it has no alternative but to accept the statement of the Minister, and pass the necessary Act. While, however, admitting the responsibility of the Government in such a case, I contend that Parliament would abdicate its proper functions if, when the necessity was not so great and urgent, and where there is time for inquiry, it should pass measures depriving subjects of the Queen of their liberties, without thoroughly investigating the state of the case, taking merely the *ipse dixit* of the Minister. The Government preferred, therefore, in this instance, to lay the facts of the case before a Committee of the House of Commons, and I think any of your Lordships who have studied the evidence which has been communicated to this House, will admit that no statement which a Minister could have made could have placed before Parliament in so complete and authoritative a manner, a description of the remarkable state of Westmeath as has been given by the witnesses examined before the Committee. It is a further advantage also, that those witnesses have given evidence before a Committee composed of Members of both sides of the House—so that there has not been a mere *ex parte* statement on behalf of the Government. The Government, moreover, had precedents for their guide in their course. In 1839, when outrages were very rife in Ireland—far more so than is happily the case at present — a Committee was appointed by this House, which examined witnesses and went very fully into the case. No legislation followed; but it is a remarkable circumstance, that the evidence then given with regard to Westmeath strikingly resembled that which has been given now. I will read one or two extracts from the evidence given before the Committee of 1839. Mr. Seed, then Assistant Crown Solicitor — the same gentleman, I think, who gave evidence before the Committee of the House of Commons a few weeks ago — being asked by the Committee of 1839 whether he was acquainted in the course of business in different counties with the Riband conspiracy, replied in the affirmative; and being further asked to which he thought it applied, he said—"I should say to Meath and Westmeath particularly." Mr. Geale, Crown Solicitor, another witness examined in 1839, was asked whether Ribandism was more common in Westmeath than in any county of his circuit; and he replied—"I have not seen anything of it, because we have no prosecutions for it," and he went on to explain that in consequence of intimidation it was almost impossible to get witnesses. That is precisely the condition of things now. Another gentleman, Mr. Kelly, said—

> "I think there is a regular organized system among them to oppose the law when they think fit—to exercise an entire control over the disposition of property and over the receipt of rents."

It is curious that this state of things appears to be in Westmeath, and seems to have continued with very little alteration from that time to the present. That is one of the reasons why it was desirable that an inquiry should be made into the state of the county, and that no sudden measures should be adopted without investigation. There was another inquiry in 1852. The inquiry of 1839 was conducted under the auspices of a Liberal Government; and in 1852 the inquiry was under the auspices of a Conservative Government. To show that the nature of the case was precisely similar in 1852 to what it was in 1839, I will quote a short passage from the speech of the then Attorney General, Mr. Napier, in moving for the Committee. He said—

> "He had got a return of the state of crime in the county of Louth alone during a period of two years, selecting only those cases which were connected with the Riband system. They were the acts of a great confederation, which, if not put down by the law, would put the law down, and therefore this was a conflict with an organized conspiracy against life and property of the most startling description."—[3 *Hansard*, cxix. 1173.]

The Government of that day did not bring in a measure on their own responsibility, but went to a Committee, and subsequently proposed a measure entirely based on its recommendations. I think, therefore, I have shown that the Government have precedent for the course they have taken.

Now, my Lords, let me turn to the evidence recently taken; and I ask your Lordships' indulgence if I quote somewhat largely from it, as it is otherwise impossible to lay the case fully and authentically before the House. In the first place, it seems to have been clearly proved before the Committee that the existence of this conspiracy in Westmeath is of very long standing, and that it is peculiar to that county. Upon that point, I will refer to the evidence of Captain Talbot. He was thus interrogated, and replied—

> "Is it not the fact that Ribandism has existed from generation to generation in the same counties without much change of area?—That is what I have always heard. And that in Westmeath it has been hereditary and traditional for a long time past?—Yes; whenever I have got any information about it from anybody, they always speak of it as being peculiar to Westmeath."—[Q. 714, 715.]

Captain Barry gives similar evidence. He says—

> "Ribandism has become a chronic disease, and I think is principally confined to Westmeath."—[Q. 1236.]

Evidence to the same effect was given by the head of the Irish Constabulary. It is shown throughout the evidence that Ribandism is now almost confined to Westmeath, for, though outrages of an agrarian character are committed in many other counties, they are not connected with this special conspiracy with which it is the object of the Government now to deal. It is a remarkable fact that, whereas this conspiracy was formerly directed almost entirely to questions arising out of the tenure of land, it has of late years begun to extend itself to all the relations of society, interfering with railways, canals, and almost every transaction between man and man. The evidence of Mr. Cusack, Chairman of the Midland Great Western Railway, which runs through the county, is well worthy of attention on this point, for he gives very singular evidence as to the manner in which the Riband conspiracy interferes with the management of the line. He says—

> "At the 68th mile the inspector was reported unfit for his work, and the place was offered by the engineer to several others; but they were all warned that they should not take it, and we could not get any other to take his place, and this inefficient man is still inspector over that portion of the line."—[Q. 1311.]

Further on, referring to Mr. Shaw, stationmaster at Trim, he says—

> "I removed him at once, because the same thing had happened at Mullingar, in the case of Mr. Anketell. I wanted to remove him from the station and he would not leave, and he was shot within a week afterwards."

Being asked to what cause he attributed Mr. Anketell's murder, he replied—

> "The station at Mullingar had been very badly managed before he went there; everything had got into loose order, and the porters and the

> people were allowed to do what they liked. He was picked out as a first-rate stationmaster to go there, and I think he got some of the porters removed, and there was a great feeling raised against him."—[Q. 1374.]

Mr. Cusack also gives remarkable evidence with regard to a canal. In the case of the railway company, the directors resisted the conspiracy; but in the case of the canal, the directors entirely yielded to it, and the canal is, in point of fact, in the hands of the conspirators. Mr. Cusack, being asked whether outrages had occurred on the canal with which he was connected, said—

> "No; I think since I have been connected with the line there has been no outrage upon the canal, although it runs parallel to the line. I account for it by their having a secret society among the men, and by their having been allowed for years to have all the appointments to themselves. As soon as a man dies or goes away the company are told whom to put into his place. These people act as a sort of police, and protect the place."—[Q. 1347-8.]

The railway company, I must say, deserve considerable credit for the manner in which they have acted; and in a district where there is so much difficulty in obtaining assistance in putting the law in force, it is only right to show what can be done where people are disposed to incur a certain risk, and to come boldly forward to punish outrages. Mr. Cusack is thus examined—

> "Is it your practice to reduce the pay of persons working on the line in the neighbourhood of the place where an outrage has been committed? Yes, it is. I have the notice with me that we issued upon that point; it is signed by myself; the engineer did not like to sign it himself, as he thought it might bring him into trouble. 'That with a view to mark the displeasure of the Board of Directors at the frequent undiscovered outrages that have been committed by the placing of stones and other obstructions on the line, the engineer has received positive orders that the wages of all permanent-way men employed by the company on the length where any such outrage occurs, and on each of the adjoining lengths, shall be reduced from 10*s.* to 9*s.* per week for 12 months following the date of the outrage, unless in the meantime such evidence is given as may lead to the discovery of the party or parties who committed the outrage, in which case the ordinary rate of wages, 10*s.* per week, will be resumed. Gangers' wages will be also reduced 1*s.* 6*d.* per week.' That is dated the 6th of August, 1868."—[Q. 1488.]

The notice, he added, had had a very good effect. I will trouble your Lordships with one other quotation on that point, from the evidence of Mr. Julian, the Crown Solicitor in Westmeath—and I do not know any passage in the Report where the whole action of the conspiracy is so well summed up. Asked whether the suspension of the Habeas Corpus Act would have more than a temporary effect, he says—

> "I think that anything which has the effect of making a lull in crime at the present day would have a highly beneficial effect in the future, because, in fact, there is no ground for the present combinations; they have nothing to complain of. Formerly questions between landlord and tenant gave rise to agrarian outrage, but now, if the Riband combinations waited for cases between landlord and tenant, they might, if I may use the term, give up business, as they are so very few in number. The consequence is that almost all the recent cases can scarcely be called agrarian at all. The Ribandmen prescribe rules for people in reference to what stewards they are to keep and whom they are to part with, and with reference to what acts they are to do in the ordinary discharge of their social duties, and they visit them with punishment unless those acts are in accordance with their ideas."—[Q. 2497.]

Now, it is necessary that I should notice an assertion made by a witness of respectable authority—the Roman Catholic Bishop of Meath, Dr. Nulty—who says he does not believe the conspiracy now exists, and does not think the outrages which are committed are due to Ribandism. That assertion of course deserves weight, and I have carefully considered what can be the explanation. The explanation, I think, is very simple, and is quite consistent with the *bona fides* and intelligence of Dr. Nulty, which I do not in the least question. The fact is, that Roman Catholic priests are no longer so able as formerly to find out what the people are about: and there is a remarkable piece of evidence on this point. Mr. Seed says he was told by a priest, who assisted him in investigating a murder in Meath—

> "I will tell you an extraordinary fact; I would have helped you very much more, but of late years the Roman Catholic clergymen hear nothing of what is going to be done in the country. Formerly they used to be told everything, and I could have told you everything years ago; but, from some reason or other, they withhold every information of everything that is going on in the country from their clergy."—[Q. 2452.]

That, I think, sufficiently explains how Dr. Nulty comes to be of opinion that there is no Riband conspiracy. The people have ceased to communicate with the priests on these subjects, and the priests, overrating their influence on the people, have rather too hastily concluded that the conspiracy has ceased to exist. I think, myself, that there cannot be the least doubt that these outrages are connected with Ribandism. The result of this state of things is, that there is the most complete intimidation throughout the county, and the adjoining baronies in Meath and the King's County which are included in this Bill. The fear of all classes is so great, and the terror of Ribandism so complete, that no evidence whatever can be procured on which to convict criminals, and the conspiracy overrides the law. Your Lordships will find some remarkable instances of the result of this. Mr. Morris Reade told the Committee that he knew of three farms which were unlet. In one case, a former tenant had been murdered, and the Ribandmen had given notice that anybody who took the farm would be murdered. In another, the land had been let for merely grazing purposes for many years; and in a third, it not being fit for pasture, it had gone to waste, and was covered with weeds. As to the impossibility of obtaining evidence, Mr. Julian says the difficulty of eliciting the truth in any case relating to Ribandism, is a difficulty amounting, he might almost say, to an impossibility. Another point which comes out in the evidence is this—that the Peace Preservation Act has not been found effective for its purpose in Westmeath. The witnesses by no means deny that it has had some good effect; but they assert that so complete is the organization of the conspiracy, and so complete the power wielded by the conspirators over all classes, that it fails in its effect, and the conspiracy continues to exercise the same baneful influence over the country as before.

Now, my Lords, I wish to say a word on the question how far Ribandism and Fenianism are connected—the more so as a noble Earl (Earl Grey) last night took exception to the course of the Government in releasing certain Fenian prisoners, as inconsistent with its present course in demanding fresh coercive powers. No doubt, it is not very easy to state with perfect confidence whether Fenianism and Ribandism are connected. My belief—which is confirmed by the evidence taken before the Committee—has always been that they are distinct organizations; but that, as might be supposed, there are many Fenians who are Ribandmen, and that Fenianism made use of the Riband conspiracy where it found it existing. To some extent, therefore, the one ran into the other; but the two organizations notwithstanding are quite distinct. It is a remarkable fact that as Fenianism died away, so —as I was told would probably be the case —Ribandism lifted up its head again. It may, therefore, be inferred pretty confidently, that they are not identical organizations, or directed precisely to the same objects. Fenianism is a growth of comparatively late years, while Ribandism can be traced back to 1829, and doubtless to a much more remote date. I deny, therefore, that measures directed against the one are necessarily directed against the other; or that, because leniency is shown to conspirators of one class, it is inconsistent to take severe measures against conspirators of another class. Fenianism has latterly, no doubt, shown a very much diminished activity throughout Ireland, while in a particular district Ribandism has become more vigorous; the evidence which has been taken has shown that Westmeath is the peculiar seat of the conspiracy; that the conspiracy affects not merely land, but the general relations of society; that intimidation and fear prevail; and that the Peace Preservation Act, so far as Westmeath is concerned, has failed of its effect.

Under these circumstances, Her Majesty's Government have had to consider what remedy they should propose for such an alarming state of things. It is clear that if you can get no evidence you cannot punish; and if the stringent provisions of the Peace Preservation Act—which fall little short in severity of the most severe statute on record—namely, that passed under the Government of Lord Grey, which established courts-martial —are insufficient, there seems no alternative but to have recourse to the arbitrary arrest of the leaders of the conspiracy, in the hope that when they are put in prison, the confederacy will be broken up, and the feeling of intimidation among the well-disposed, who, we are told, are the majority, so diminished as to induce them to give their assistance in vindicating the law. Her Majesty's Government have, therefore, determined to propose that the Lord Lieutenant shall have power—to use a familiar though not strictly accurate term—to suspend the Habeas Corpus Act in the county of Westmeath, and in certain adjoining districts of the King's County and Meath, and that this power should exist for a period of two years. We have preferred to give the Lord Lieutenant this power, when establishing a law of a local application, because it is possible, and may be hoped, that during that period it may not be necessary to put it in force in any, or, at all events, in some parts of the locality; and also by placing the power in the hands of the Lord Lieutenant, he can exercise it at any time within the two years without having to make application to Parliament. But it is obvious that if we merely gave power to the Lord Lieutenant of arresting persons who might be in Westmeath at the time of the issue of the Proclamation, it might be evaded by persons placing themselves beyond the limits prescribed by the Bill. Power is therefore given to the Lord Lieutenant to arrest any person who may have been in Westmeath at any time since the 1st of January last, and who may be suspected of Ribandism, or of being principal or accessory in any felony, or principal in any misdemeanour committed in any place within the prescribed district, under the direction and influence of the Riband society. It is necessary to provide for a further case. It is well known that it is the constant practice of these conspirators to seek for persons outside the district in which they live, when they wish to execute their decrees. Persons unknown in the locality in which the crime is to be committed are brought from a distance, whereby the chances of escaping detection are increased. In order to meet that case, the Bill provides that any person who may be suspected of having been in the county, and having there been principal or accessory in a murder, may be arrested in any part of Ireland. Thus, as far as concerns persons who have been in Westmeath since the 1st of January, or who may go there after the passing of the Act for the purpose of committing a crime, the Bill will have effect through the whole of Ireland, though the district to be proclaimed will only be a local one.

This, my Lords, is the measure the Government propose to meet the evils prevailing in the special districts to which it is necessary to apply extraordinary provisions of repression. But, my Lords, I guard myself against being too sanguine as to the effect even of so extraordinary a measure as this. The disease is one of very long standing, and is very difficult to eradicate. The only chance of success is that the well-disposed classes should take courage and assist the Government in enforcing the law, and, if possible, in bringing the conspiracy under control. I am far from saying that the magistrates of Westmeath have not done their duty—I make every allowance for the extreme difficulty of their position; but when we are told in evidence that the larger part of the population of the county is not tainted with Ribandism, we have a right to expect that by passing a measure of this kind, and by removing, as we hope to do, the leaders by whom the people are intimidated, the well-disposed part of the population will be induced to come forward and give the Government that moral support, without which no measure they can devise will produce any permanent effect.

There is another provision of great importance, which does not apply specially to Westmeath. We propose to renew the Peace Preservation Act for two years; and, considering its excellent effect as regards the greater part of the country, I think your Lordships will not refuse to renew it. It is true that Ireland is comparatively peaceable; but, after the experience we have had last year, it would be premature to deprive the Lord Lieutenant of the power of putting that Act in force in certain districts—for agrarian crime often breaks out in an unexpected manner. We propose to renew it without alteration. I am aware that Amendments have been suggested, and I do not deny that it might possibly be improved; but, inasmuch, as it has been found sufficient for its purpose throughout the country, with the exception of Westmeath, it is better to continue it in its present shape, than to attempt Amendments which might excite great difference of opinion, and which might make it difficult to carry the measure through Parliament. One suggestion is, that power should be given to try criminals without juries. Now, that would be a very grave change in the law, and, though it has frequently been suggested, I do not think that at the present moment proof of its necessity could be shown. The great evil in Westmeath is, not that juries do not convict, but that you cannot get evidence to place before them such as would induce a jury to convict; and the Attorney General tells me that in two or three recent cases in which Westmeath juries failed to convict, he is far from satisfied that the evidence was such that they could properly do so. Evidence cannot be produced such as to satisfy the jurors, and it would be premature to make so extensive a change as is involved in superseding trial by jury. Again, as to a minor point. It is stated in the evidence that the power to change the *venue* might be made more easy. Now, it is possible that greater facilities might be given; but I am assured by the highest legal authorities in Ireland that there is no practical difficulty in changing the *venue*, as to which a special power was given in the Act of last year. A point of much greater importance is the operation of the system of police fines and compensation for injuries. There is great difference of opinion among the witnesses as to the effect of the present law. Some think that it presses with undue severity on the innocent; but others deem it very desirable that as many classes and persons as possible should be made to feel the effect of the present disgraceful state of things. My own opinion is, that the principle of the law is good, and that it is decidedly advantageous that those who have not the courage to come forward and aid the law should be made to feel that they have incurred a certain amount of degradation, and should suffer, at least in pocket, for the outrages which are committed. I think, therefore, it is undesirable to encumber last year's Act with any Amendments.

Having now, my Lords, noticed all the points raised by the Bill, I should like, before I sit down, to make some general observations on the state of Ireland. Look, it has been said, at the condition in which Ireland finds itself, after the great remedial measures which involved so much sacrifice, and which Parliament passed after so much deliberation. Now, any person who expected the measures of 1869 and 1870 to bear immediate fruit in complete security for life and property must have had an extraordinary notion of public affairs, and of the effect of such general measures on the state of society. All that can reasonably be expected is, what has been shown to exist—namely, signs and symptoms of improvement, and of the commencement of a better state of things. Your Lordships will find abundant evidence of this; and the information which reaches us from every quarter evinces a growing disposition in Ireland to resort to the law for the redress of injuries, rather than to private revenge. Now, the great object of those measures—and especially of the Land Act—was to establish the supremacy of the law, and to make the people feel for the first time that the law was their protector, to which they might appeal for assistance and redress. There is some hope, if not at present a strong one, that they see for the first time that Parliament has provided some remedy for the evils of which they have always complained; and I augur from that that a better era may have commenced. Of this, at all events, I am certain—that no measures whatever will succeed in placing Ireland in the position which, considering its natural resources and the intelligence of its population, it ought to occupy, unless not only by the efforts of Parliament, but by the combination of all classes against such conspirators as those whom it is the object of this Bill to put down, the supremacy of the law is firmly established, and life and property sufficiently secured.

Moved, "That the Bill be now read 2ª."—(*The Earl of Kimberley.*)

THE DUKE OF RICHMOND: I can assure the noble Earl (the Earl of Kimberley) that I do not rise to offer any obstruction to the passage of the Bill: I shall esteem it my duty to afford every possible facility to its speedily becoming law; and had the noble Earl thought it necessary to propose the suspension of the Standing Orders, so grave do I consider the matter with which the Government have undertaken to deal, that I should have been anxious to assist him in expediting the passage of the Bill. I regret that the Bill does not contain even more stringent powers; for, if discretion is to be placed in the Lord Lieutenant, you might well give him a larger discretion than is now proposed; and it is unwise, I think, to confine the operation of the Bill by a "hard and fast" line to a particular district, for in other parts of Ireland are some of the most disturbed districts to which reference was made last year, when your Lordships were asked to pass the Peace Preservation Act. I am afraid that when Westmeath and the adjoining baronies are placed under the strong arm of the law, outrages may recur in other localities, where the same description of secret societies may have been slumbering. It is not my intention, however, to force on the Government more stringent measures than they are willing to ask for. I place on them the entire responsibility of dealing with this matter; for it is their duty, knowing the existence of the evil, to bring forward on their own responsibility, a measure adequate to the exigency of the case. I was certainly somewhat alarmed to hear the noble Earl say that, severe as the measure was, he was far from sanguine that it would have the effect which we must all heartily desire. I wish in discussing this measure strictly to review the conduct of the Ministry in dealing with this question, and more particularly with regard to what has taken place, as to the origin of the present legislation and the mode in which the Government have sought to deal with the subject. In the other House of Parliament, after the Session had somewhat advanced, the Chief Secretary for Ireland gave notice of a Motion for the appointment of a Committee to inquire into the state of Westmeath. The Committee was to be a secret one, and, after taking evidence, it was to undertake the function of the Government, and to recommend what measures were necessary. The Government, however, soon changed their minds, and proposed that the Committee should not be secret, and that it should terminate its labours without giving any opinion. Now, I contend that the appointment of the Committee was unnecessary, because the evidence given before it was previously in the possession of the Government. Hence, the only result of the appointment of the Committee was a most disastrous one—namely, the postponement of legislation for three months. Glancing at the evidence, I can corroborate what the noble Earl has stated as to the condition of Ireland, and the conclusion I draw is this—If Ireland is in the condition described by the witnesses, and if the facts were known to the Government, they are liable to the gravest censure for not bringing forward this Bill on the first night of the Session. The Preamble admits that the existing laws have been found insufficient for the protection of life and property in the districts in question, and that I believe to be quite true. The Committee was composed, no doubt, of Gentlemen quite competent to deal with the matter; but I deny that the inquiry was necessary. What was the evidence? Of the 14 witnesses examined, 10 were official witnesses—that is, persons in terms of official relationship with the Government. Everything which they knew, and every suggestion which they could offer, were within the knowledge of the Government. Indeed, as I shall prove by the evidence, they had for a considerable time been urging on the Government the necessity of stringent measures. They were resident magistrates, Crown Solicitors, and gentlemen of that class, who were not likely under the solemnity of an oath to give fuller or more truthful information than could have been elicited from them privately. If that be so, there was no necessity for the appointment of the Committee. Of the remaining four, one was the Roman Catholic Bishop, Dr. Nulty, whose evidence, interesting as it was, was hardly of sufficient importance to warrant the appointment of a Committee to examine him. Though he denies the existence of a large Riband society, he admits, I think, that there may be small societies, not so thoroughly organized as at former times. The second witness was the Rev. Mr. Crofton, whose evidence was that he had been shot at without any previous warning. Now, it was scarcely sufficient to warrant the appointment of a Committee to inquire into that fact. The third was Colonel French, the Member for Roscommon, who does not appear to have given very essential evidence; and the fourth was Mr. Boyd, a country gentleman, who had served on the grand jury at the Westmeath Assizes, but whose evidence can hardly be considered indispensable. The point to which I wish to direct the attention of the House is this—If, as I believe, the evidence was already in the hands of the Government, the inquiry was not only needless, but mischievous, inasmuch as it delayed legislation in a matter in which no time ought to have been lost. Captain Talbot is asked—

> "You are aware, of course, that even if they had not been so reported to the Government, these facts would have been known to the public generally, from having appeared in the newspapers?"

Captain Talbot replied in the affirmative, and added that

> "They were all matters of notoriety; the Government received the reports of them through the constabulary, and also through me."

Captain Talbot was then asked whether, in addition to his written reports, he made frequent oral reports when he was up at the Castle? and he replied, "I made reports to nobody, unless the Lord Lieutenant may have sent for me." The witness went on to say that he did not make any reports by word of mouth, though he doubtless had conversations; that the mode in which he recommended the Habeas Corpus Act to be dealt with was a general suspension, with power to the authorities to apply it locally. Now, that witness has been a resident magistrate for about 18 years, and had served seven years and nine months in Westmeath. He was, therefore, perfectly competent, beyond doubt, to advise the Executive as to the state of things in Westmeath, and his opinion was, that the only way of dealing with it was by the suspension of the Habeas Corpus Act. Captain Reade, another resident magistrate, gave an account of the interference with agriculture, and stated that farms were thrown out of cultivation in consequence of the intimidation prevailing through the county. That gentleman stated that, whether or not the intimidators were in a minority, he was quite satisfied that they were the strongest, and by their edicts practically governed the country, and there was no law to cope with them. Another witness states that he made a report to the Government, and that in that report he recommended the adoption of more stringent measures than the Peace Preservation Act provided; and he stated that all freedom of action was at an end in Westmeath. Such being the state of things, I maintain that it was the duty of the Government at once and without delay to apply a remedy. An important witness was Mr. Cusack, the Chairman of the Midland Great Western Railway of Ireland, who gives evidence that intimidation was also practised with regard to the management of railways. It appears that one man, an inspector, I think, of the line, was reported as thoroughly unfit for his duty. In any civilized country the course naturally taken would be to dismiss such a man, and appoint another person able to carry on the work; but Mr. Cusack states that when he sought to know who would take the man's place, he found that no one would take it, and the result was that the railway company were obliged to retain an inefficient servant. Could such a state of things be found to exist anywhere else? In another case an efficient stationmaster was dismissed for his services to the company, at the instigation of one of the Crown prosecutors. As this is a peculiar case, I will read a portion of the evidence of Mr. Cusack relating to it—

> "Have you been in communication with any of the Crown prosecutors?—Yes, I was in communication with Mr. Seed lately upon one of the very cases I mentioned—of Mr. Shaw, the stationmaster at Trim, who was threatened there. Acting upon the suggestion of the police authorities, we made the station ballproof, and he was guarded at the station day and night. We have recently removed him at the suggestion of the Crown solicitor. Was that suggestion given by word of mouth, or in writing?—I received a letter from Mr. Seed. Have you that letter with you?—Yes, I have (producing the same). That case occurred in the county of Meath, not in the county of Westmeath. This is the letter from Mr. Seed, in which he recommends me to take the man away. Will you be kind enough to read that letter?—I will. 'My dear Cusack,—The investigation of the case of a man named William Weldon, charged with stealing coals from the railway station at Trim' (I may tell you that I think the cause of animosity to Mr. Shaw was that he gave information to the police about some man that was found stealing coals off a cart which had left the station; they were in the habit of doing that, I believe), 'renders it imperative on me to recommend to you the removal of Mr. Shaw, the stationmaster, to some other station, as, in my opinion, and in that of the Crown counsel, his personal safety will be greatly endangered should he be allowed to remain at Trim. He has already been served with several threatening letters threatening him with the fate of poor Anketell at Mullingar, who was murdered under precisely similar circumstances as those which now threaten the life of Shaw; he cannot stir out unless accompanied by two police-constables, and the sub-inspector at Trim informed us that his life is in great peril. Having thus relieved myself of all responsibility in making this communication, I must leave the matter with you to deal with it as you may think proper; but I should be wanting in my duty if I were not to report to you the high opinion which we all entertain for Mr. Shaw, whose intelligence, zeal, and high sense of duty in using very exertion in his power to discover the perpetrators of the late robberies from the Trim station are beyond all praise; he must be an invaluable officer to any company. Believe me to be, most truly, S. SEED, Crown Solicitor.' In consequence of that communication did you make any further application to the authorities?—I showed that letter to Mr. Burke, the Under-Secretary, and he advised me to act upon it. We were anxious to have left Mr. Shaw there. He wished to stay himself; and the police authorities thought that he could not possibly be touched, He was very much annoyed at being taken away. He thought that by remaining, the perpetrators and writers of these threatening letters would have been discovered."—[Q. 1367.]

This evidence reveals a state of things which demanded prompt measures. The highest opinion is entertained of this officer; but the way in which the Government deals with him is to get rid of him. That is the way in which the Government has acted in such cases. In such a state of things, which had been properly described by a Roman Catholic Prelate as a curse and reproach to the country, I want to know, how could the Government reconcile it with their sense of duty to wait three months before applying to Parliament for powers to cope with the evil? Another witness, Mr. Julian, Crown Solicitor, suggests that the suspension of the Habeas Corpus Act is the only thing that can put a stop to the present dreadful state of society. He also states that he has no doubt that the Government of Ireland is perfectly acquainted with his opinions on this subject.

> "I have no doubt," he says, "that the Government of Ireland have used the greatest efforts which the law, as it stands at present, enables them to use to suppress crime."

Then he is asked—"But you have expressed your opinion that most coercive measures are necessary for that purpose?" and his answer is—"Yes; most coercive." "And alone would be sufficient?" To which he replies—"And alone would be sufficient." This state of things is confirmed by other authorities; but, instead of supporting coercive measures, these witnesses recommend that when a gentleman's life is threatened, he should run away, being themselves powerless to do anything in the matter. The Inspector of Constabulary, Sir John Stewart-Wood, who had served in the Army before he became connected with the Irish Constabulary, says he has written strongly upon the subject for the last year-and-a-half, but apparently with very little effect. The noble Earl did not dwell so emphatically as I had anticipated on the suspension of the Habeas Corpus Act. It is true that it has hitherto been usual to suspend the Habeas Corpus Act for political offences only; but the present condition of Ireland is nearly as disastrous now, as it was when the Act was suspended on former occasions. I will ask your Lordships to listen, while I read what the condition of Ireland was as described by by Sir George Grey when, in 1866, he moved the suspension of the Habeas Corpus Act. First of all, he mentions the disastrous consequences which must follow should the existing state of things remain unchecked. That observation applies equally now. It must, he says, paralyze industry, deter the application of capital in productive labour, and check the development of the resources of Ireland. All this is equally true now. Industry is paralyzed; and I should like to know, whether the evidence of Mr. Cusack, when he says that they were unable to manage the railway as they could desire and ought to manage it, is likely to bring additional capital into the country? "It is most important, therefore, for the interests of the country," said Sir George Grey, "that the conspiracy should be checked." I also say it is most important that this secret society of Ribandmen should be put down. "Is it not notorious and patent," he continued, "that a conspiracy dangerous to the peace and destructive to the interests of Ireland exists in that country?" Yes. And I ask the House to judge for itself, whether from what I have stated a conspiracy dangerous to life and destructive to the interests of Ireland does not exist in the country; and, whether the Government have done all that was in their power to put down such a conspiracy? I think the Peace Preservation Act of last year shows that the Government are disposed to check this conspiracy. Sir George Grey asked for additional powers by which this conspiracy should be put down. I think the Government would be perfectly justified in asking for even stronger powers than they now ask for; and if they agree with Sir George Grey, I am sorry the noble Earl did not come to the conclusion to which Sir George Grey arrived—

> "If the House is satisfied that there is good cause for the proposal I have made, let me add one word more. I trust hon. Members will feel that it is important that the powers asked for should be placed in the hands of the Government with the least possible delay."—[3 *Hansard*, clxxxi. 680.]

I know it is said that an apprehended revolution alone justifies the grant of such powers; but, in the present state of Ireland, the reasoning of Sir George Grey in 1866 applies with equal force. In dealing with such a state of things there should be no delay. My Lords, the noble Earl hinted that it was not to be supposed that the remedial measures passed during the last two Sessions of Parliament should bear fruit immediately, and that the House and the country ought not, therefore, to be surprised at his asking for the further and more coercive powers which are given in this Bill—namely, the suspension of the Habeas Corpus Act and the continuance of the Peace Preservation Act—which, I think, the noble Earl will hardly deny was passed as a temporary measure—in the hope that remedial legislation of so satisfactory a character would be passed, that this Act would not long be enforced. I find the Prime Minister, in speaking upon the Peace Preservation Act of last year, distinctly held out that it was to be a measure of a temporary character, and he expressed a hope that the evil might soon pass away, and said he looked to the remedial legislation he proposed as likely to supersede the necessity for coercive measures. The Prime Minister, then, at any rate, looked to these remedial measures bearing fruit, and to the Peace Preservation Act as being of merely a temporary character. I will not go further into the evidence; but after reading it and seeing the course which the Government propose, I am reminded that, upon their assumption of office, there were two points upon which we were told they would be pre-eminently successful. In the comparisons instituted between Her Majesty's present Advisers and their less talented predecessors, if there were two things in which the present Government were supposed to have the confidence of the country, they were the questions of finance and the question of governing Ireland. With the question of finance we have not perhaps so much to do in this House, and certainly on this occasion I am not going into that subject; but I mention it in order to remark, that the opinions which had been formed of the capabilities of the Prime Minister and the Chancellor of the Exchequer in dealing with that important branch of business, will lead people to pause somewhat before they again make the comparisons which I believe they made upon the accession of the present Government to office. With regard to Ireland, however, there is no sort of doubt: Ireland was to be so governed that all coercion was to be at an end. The Habeas Corpus Suspension Bill, which had been in operation during the period we had the honour of holding office, expired and was not renewed during the present Administration. Ireland was to be governed in a totally different manner from that which it had ever been dealt with before: it was to be governed, in short, according to Irish ideas. It is true that Irish ideas may mean coercion and strong measures; and if so, Ministers have certainly kept up to that view, and are governing Ireland in a manner which must be highly satisfactory to the people. I confess I should have been better pleased if this measure had been of a more stringent character. My Lords, I will not venture to criticize the various points of the Bill, small though they be. The clauses are necessary and sufficient according to the Government; and it would be unwise to force upon the Government further and larger powers of coercion than they seek for, because, of course, the result would be that they would not put these powers into force, and if the Bill were made more stringent the success of it as a measure of coercion might in this manner be taken away. Upon the whole, therefore, it is better to leave the Bill as we find it. I shall leave the matter to the responsibility of the Government. Their measure is not, in my opinion, sufficiently stringent. I trust, however, it may be found so to work as to bring those portions of Ireland to which it relates more into the condition of a civilized country than they certainly are at the present moment. Should that be the result, no one will more rejoice than myself that I have not, at all events, been obstructive in regard to the passing of the Bill.

EARL RUSSELL: My Lords, the greater part of the speech of the noble Duke (the Duke of Richmond) goes to show that there exists an absolute necessity for the passing of some measure for the protection of life in Ireland; and the present Bill has been brought forward specially with that object. Among the charges which the noble Duke has made against the Government is the delay which has occurred in taking this step, which, he contends, they ought to have taken on the first day of the Session, without delaying for the appointment of a Committee. Now, I do not pretend to answer for my noble Friends; but as to the main question the Government were, in my opinion, perfectly right, at all events, in proposing the Committee before which evidence should be given before they introduced their Bill. I think there can be no doubt that in so doing they adopted the proper course. If it had been a Bill making ordinary changes in the law with respect to crime, a Committee might not have been necessary; but, as the result of the deliberations of a Committee must have been foreseen by the noble Lord the Chief Secretary for Ireland to be likely to be the suspension of the Habeas Corpus Act for two years—thus conferring on the Lord Lieutenant the power to imprison persons without trial, a measure containing provisions so grave and so unusual fully justified the Government, in my opinion, in asking for a Committee as a preliminary proceeding, and producing before the Committee the evidence on which they were to justify the course they were about to propose. You must take into consideration the kind of offences which generally have led to the suspension of the Act. I am, I think, justified in saying that the cases in which the Habeas Corpus Act has been suspended hitherto have been cases in which a conspiracy was known to exist in the country of a political character, and in which the Government found themselves unable to obtain the conviction of guilty persons in the ordinary Courts of Law. In almost all these instances, too, the conspiracy was supposed to have relation with some foreign Power, or an expectation of foreign aid was supposed to exist. Now, these are cases entirely different from the present; and it requires a strong conviction in such an instance as this, and demands that the Government should lay strong evidence before Parliament, before the Legislature could be justified in adopting such a course as the suspension of the Habeas Corpus Act. I repeat, therefore, that the Government were, in my opinion, right, even at the cost of some delay, in asking for a Committee. As to the operation of the Bill, I have some doubt whether it will give the Lord Lieutenant authority—conferring upon him as it does the power of doing that in certain parts of Ireland which is inconsistent with the ordinary freedom and safety to which every subject of the Queen is entitled—to exercise that power in other parts of the country. I entertain this doubt because I see in the Schedule Westmeath and certain parts of Meath named as the places to which the provisions of the Bill are to apply. But if I have any doubt about the measure, it does not relate to the proposal for the suspension of the Habeas Corpus Act in a district where the life of no man is safe, and in which a man pursuing the most innocent occupation is liable to be murdered. It appears to me, I may add, that the present Government has on the one side, a peculiar claim to confidence in respect to Ireland; while on the other hand, a peculiar obligation rests upon them, in dealing with a question of this kind affecting Ireland. Ireland, to use the language of Mr. Grattan, is a country in which the people have been ill-governed and in which the Government has been ill-obeyed: that has been the history of Ireland equally since as before the Union. Of late there had grown up, for the first time on this side of the Channel, a feeling that that country had been injured—that she suffered under great oppression, and a desire grew up that her grievances should be remedied and that oppression removed. The present Government, and especially the present Prime Minister, had great influence in exciting that feeling. The consequence was that he obtained a large majority to join with him in giving it effect, and two considerable measures—affecting the two main grievances—the one relating to the Irish Church, which was not touched by the Catholic Emancipation Act — and the other the land question, which affected the whole of Ireland—were passed into law. In my opinion the Government were so far successful in providing a remedy for grievances of long standing, and they were fortunate enough to do so, I think, in the case of the Land Bill, without, in any great degree, trenching on the rights of property. Having done so much for Ireland it was, however, I must say, a disappointment to me to find that they were compelled to pass last year a Peace Preservation Bill, which, in a great degree—as must, indeed, always be the case with any measure going beyond the ordinary law—trenched on the principles of liberty. They were, it seems to me, bound after passing the measures to which I have just referred to place themselves in a different position with regard to Ireland from former Governments. It had been the policy of all parties and of every successive Government to maintain the law as it existed, and when in connection with tithes or some other question great outrages occurred, to introduce measures of coercion, I, for one, always thought, and I still think, that when measures of such a kind are passed, the general principles of justice and the freedom of the subject ought, as far as possible, to be sacredly observed. The Peace Preservation Act of last year, too, seems to me to have sinned against these principles. There are clauses in that Bill authorizing to arrest and confine any person whom they may happen to find out of their homes at a certain time of night. Now, I confess, these are provisions which appear to me to be contrary to all the principles of the liberty of the subject, for many persons may be out at night in the pursuit of the most lawful occupations—such as a farmer going to visit a neighbour on business, or a young man going to see the girl whom he has engaged to marry. There is another provision with regard to the Press, by which the Lord Lieutenant, upon certain proofs that a newspaper is inciting to treasonable practices, has the power to confiscate the property of the proprietor of that newspaper. I hold that again to be a provision entirely contrary to the general principles of law. There seems to be a notion that when we have once granted to a country that no man should be convicted except upon the verdict of 12 jurymen, and extended to them certain valuable principles of English law, nothing more is required. But when we wished to govern Scotland well we did not impose upon the people of that country the English rules of justice, or the English form of religion, but left them to their own customs, and to that form of religion which they preferred. And so with regard to Ireland, unless we endeavour to reduce our laws to a shape that will be suitable, not to Englishmen, but to Irishmen, we shall not succeed. I believe that the people of this country and the people of Ireland owe great obligations to the Government of the present day for what they have done with regard to the Church and the land; but with regard to the preservation of life and property in Ireland, that is a question as to which Her Majesty's Government should be permitted to say they have had no time to give it attention — they ought to give it their attention every week and every month, with a view, if possible, to bring the country into the same happy state in which Scotland now is. I wish, therefore, they would take into consideration some permanent measures by which the state of Ireland may be made as perfect as that of Scotland.

EARL GREY: My Lords, I cannot allow this Bill to pass a second reading without stating that I, for one, cannot give it my approval. I concur with my noble Friend who introduced this Bill, and with the noble Duke behind me (the Duke of Richmond), as to the extreme importance of providing for the security of life and property in Ireland. It is the duty of every Government to give that security to its subjects; but, having listened attentively to the speech of my noble Friend, I cannot come to the conclusion that the Bill before us is calculated to effect the object in view, while it is open to my mind to the most grave objections. We all admit that the suspension of the Habeas Corpus Act is a most serious evil. To leave the liberty of every man at the mercy of the Executive Government—to give the Government the arbitrary power of imprisoning for offences they are not able to prove, is in itself a very great evil. At the same time, in circumstances of great danger and difficulty, Parliament has had recourse to such a measure; but, my Lords, in general—I believe I might say always—Parliament has only consented to adopt that very strong measure for the purpose of dealing with some plot for the overthrow of the Government, or for exciting armed resistance to its authority. But that is a very different case from the present one, we are dealing now, not with a plot which, if at once put an end to, we may hope for a better state of things, but with a conspiracy which, as my noble Friend seems to say, and as the whole evidence clearly shows, is of very long endurance. A conspiracy prevails in certain parts of Ireland, by means of which intimidation is established, grave offences are committed, and the people in their ordinary occupations are seriously molested. Now, on looking at the evidence, I do not find that even those who recommend a measure like that now before the House are very sanguine as to the effect it will produce. They say, no doubt, that for the moment it will be useful—that as long as the persons against whom it is aimed are shut up they will be unable to do mischief, and that the conspiracy will be crippled; but they all think that you cannot keep these men permanently imprisoned, and that when they are let out they will probably return again to their old practices, with an increased animosity arising from the imprisonment to which they have been subjected. My Lords, with regard to persons engaged in treasonable conspiracy, there is generally a possibility of obtaining, if not legal evidence, at least sufficient moral evidence to guard against the danger of imprisoning innocent men. But in this case it is different. The obscure village leaders of the Riband conspiracy cannot be known to the higher officers of the Government—knowledge of them can only be arrived at through the subordinate officers of the police; and these, again, must act upon denunciations made to them in private by persons who think they know who are engaged in the conspiracy. Now, observe the extreme danger of this. You give this power of imprisonment to the Lord Lieutenant; but, practically, it must be exercised by police inspectors, perhaps by police constables, and it must be put in motion by the secret denunciations of persons living among those who are taken to be Ribandmen. How possible it is that men from animosity, from malice, from various bad motives, may be induced to denounce persons who are not really guilty of crime. It appears, as far as we can judge from the evidence before us, and from a speech used on the opposite Benches, that the names of those informers are to be kept secret—because, otherwise, there is no advantage gained by the Bill. If their evidence is really true, and they are prepared to stand by it, there is no reason why they should not come forward and state what they have to state in a Court of Law; but if they are not prepared to do this, if they are only ready to give secret information to the police, if the knowledge of who they are is to be studiously guarded so that it may not escape them, what security have we that animosity and malice may not largely enter into such denunciations? But that is not all. My noble Friend opposite (the Earl of Kimberley) said—very justly—that the real cause of the disturbed state of this part of Ireland is, that people have not the courage to come forward and act with the spirit which they ought in order to suppress outrages. My noble Friend said that, if those who are really in favour of law and order were manly enough to take a bold line in support of authority, these crimes could not go on for a day. This is perfectly true. But let me ask your Lordships, is it not the direct tendency of this Bill to encourage that very cowardly and unmanly feeling of apprehension of the consequences of doing their duty—in persons of position as well as in the lower ranks of society—which is now the cause of these disorders? Is it not a direct encouragement to those who will not come forward and openly avow what they know, even though at some risk to themselves? My Lords, I am persuaded that the true policy for the Government to pursue, is to trust to a firm and vigorous administration of the law in Ireland, which would encourage the well-disposed to assist them in the maintenance of order. At the same time, I am perfectly willing to grant them any extraordinary powers, which may seem directly calculated to assist them in putting down crimes, and I therefore approved of the Peace Preservation Act of last year, which seems to have proved highly successful in many parts of Ireland. But what I think all-important is, that whatever measures are adopted should tend to stimulate, not to discourage, bold and decided action on the part of the well-disposed. By such action on their part much may be done, and I would call the attention of the House to the very striking evidence on this point which was given by a Gentleman who was examined by the Committee of the House of Commons—I allude to Colonel French. Colonel French stated that some years ago the County of Roscommon was in even a worse state with respect to Ribandism than Westmeath now is; but that the gentry determined vigorously to resist the intimidators. With this view, they availed themselves of the power conferred by an Act of the late King, to swear in special constables, and by arming some of these men, and combining together, so as to have a sufficient force ready to act promptly against the disturbers of the peace whenever they showed themselves, they succeeded in putting down the Riband conspiracy in Roscommon. Now, I think it bad policy to encourage the gentry, and the well-disposed of the lower classes in Westmeath, to trust to what the Government may do for them under the provisions of this Bill, and to secret denunciations of those they believe to be Ribandmen, rather than to their own exertions. I wish to see them coming forward, as the people of Roscommon did, and taking openly the measures that are in their power to stop these atrocious outrages. To stimulate them to such exertion it is clear from the evidence laid before us that some Amendments of the Peace Preservation Act are much needed, and I own I was much astonished to hear the reasons given by my noble Friend for not attempting to make the Amendments in that Act which he admitted to be wanted. He said it was better to renew it simply as it stood, because in great part of Ireland it had proved successful, and that there would be much difference of opinion with respect to any Amendments that might be proposed, and much time occupied in discussing them. Surely when the question lay between passing a Bill, so open to objection as that before us, or seeking to strengthen the late Act and render it more effectual, without conferring power liable to abuse on the Executive Government, the probability is, that a little more time might have been taken by amending the late Act, and that Parliament might perhaps be kept sitting a little longer, was not a consideration to which any weight should have been given. My noble Friend remarked that considerable stress had been laid by some of the witnesses before the Committee, on the advantage there would be in amending the provisions of the recent Act with regard to changing the *venue* in cases where the proper discharge of their duty by a Westmeath jury might be distrusted; but he said that the highest legal authorities were of opinion that the law as it stands does provide for the object in view, though I did not understand him to affirm that this could be done with as much promptitude and facility as would be desirable. I confess that this seems to me an insufficient excuse for not attempting an amendment of the law in this respect. It is of the highest importance that there should be the means of bringing to trial at once, before a tribunal which may be relied upon, persons accused of crimes connected with Ribandism; and when we read in the evidence that the panel of jurymen in Westmeath is such that, by using their privilege of challenge, Riband prisoners in Westmeath can generally so reduce the small panel as to ensure that there shall be one or two sympathizers with them on the jury, it is surely most necessary that the Government should have the power of causing the trial to be held elsewhere, without the delay occasioned by the formalities now required. But my noble Friend also admitted that almost all the witnesses before the Committee considered the Peace Preservation Act to be defective on a much more serious point. I refer to the clauses which provide for levying from the district in which offences have been committed, money for making compensation to the sufferers and their families, and for the payment of the cost of additional police. My noble Friend contended that, notwithstanding the objections made to it by the witnesses, the law upon this point was sound in principle, and I agree with him. I consider the principle of making a district responsible for offences committed in it, and especially for offences which could not be committed with impunity—without, at least, the passive connivance of the population—to be a sound and a wise one; it is the principle of the ancient Saxon legislation, which mainly contributed to put down violence in this country, and gradually to establish in it order and civilization in the place of confusion and barbarism. But though the principle is a wise one, it is clear from the evidence that it is so ill-applied in Ireland, under the law as it stands, that the provisions of the existing Act do rather harm than good. The money levied from an Irish barony, on account of crimes committed in it, is levied by a rate upon property, and therefore falls chiefly upon the sufferers by these outrages; while, if it were levied as was originally proposed by the Government, by a house tax, to which every dwelling, large or small, should be compelled to contribute, the burden would fall on those who have the power, if they would use it, of stopping these crimes, so that every man, high or low, would be made to feel that he had an interest in doing so, and that if he withheld his assistance in maintaining the peace of the district from fear of the consequences of offending the Ribandmen, he must suffer for his cowardice by a heavy pecuniary burden. An amendment of the law in this sense would, I believe, do far more to establish security in Westmeath than the Bill submitted to us. I do not object to that Bill because I feel less strongly than Her Majesty's Government the necessity of providing for the security of life and property in Ireland; but because I do not regard it as a statesmanlike measure, or as being calculated to prove a real remedy for the evil against which it is directed. It is a mere palliative, that will probably leave things worse than it finds them.

THE MARQUESS OF SALISBURY: My Lords, I cannot but express my deep regret that the noble Earl who has just sat down (Earl Grey) has given the sanction of his great authority to the idea that evils so serious as those which afflict Ireland can be remedied by the instrumentality of the ordinary law. He seems to imagine that the present state of things should act as a bracing and invigorating process which would produce corresponding courage in the gentlemen exposed to it, and that all you have to do is to rouse them and they will encounter these evils for themselves. My Lords, it is possible that if you gave the gentry of Ireland liberty to deal with these evils they might check them. I have often thought that it might be said that one of the great evils of Ireland is, that there is a criminal law at all. If that law were abolished, or were allowed to sleep, as in America, the same system in regard to the repression of outrage which obtains in America, would be acted upon in Ireland also. It is possible that Vigilance Committees would be appointed by the friends of property and order, and, as in America, a conspiracy on one side would be crushed by a conspiracy on the other. But the hard case of the gentlemen of Ireland is, that while they are obliged to sit and be shot at without the slightest protection from the Executive Government, they are liable to be hanged if they take any retaliatory measures. It seems to me impossible that the chivalrous courage of the gentlemen of Ireland should develop itself under such circumstances as these, and that the stimulating process which the noble Earl recommends to the gentry of Ireland must entirely fail. I am afraid that both the noble Earl (Earl Russell) and the noble Earl who promoted this Bill somewhat exaggerated, even under the most favourable circumstances, the number and power of those who may be expected to take the side of law and order, and to whose courage the noble Earl who introduced the Bill appealed. There is one answer in the evidence to which I should like to call the attention of my noble Friend who has just sat down. It is the answer of Mr. Morris Reade, a resident magistrate. He was asked as to the proportion of those who are friends of the Riband Society and those who are the friends of law and order in Westmeath. Being asked by the Solicitor General for Ireland, whether he thought the people of Westmeath, free from intimidation and uninfluenced from terror, were to act with the Government, they could put down these conspiracies? he answered they could not act freely because intimidation rules the country.

> "But," said the Solicitor General for Ireland, "after all, the intimidators are in the minority." "Be it so," replied Mr. Reade, "but they are the strongest. I could not even say that they are in a large minority. I could not even say if you were to poll Westmeath to-morrow that the Ribandmen would be in the minority; but I am quite satisfied that they are the strongest."—[Q. 1127-8.]

That is a most fearful thing to say of a country calling itself civilized. It means that more than half the population of a country which is supposed to be a civilized country are supporters of and sympathizers with assassins. A more terrible state of public morality was never presented to any country to deal with. If I object to this Bill, it is because I fear the mere process of imprisonment will not cure the men or cure the system that the Government has to confront. The real difficulty is this—you have got in this country a system of judicature framed upon the Teutonic stock, and fit for a civilized nation, and you apply it to a Celtic nation, part of which is in the very depths of barbarism. If you had not been forced by an unhappy political accident to include Ireland in your system, you would never have dreamed, if you had conquered it, of applying to it your judicature, which you in vain, by tinkering and patching, try to adapt to their use. The population are unfit for the system that you are trying to thrust upon them. If I had my own way in these districts, I would invest the late noble Viceroy of India opposite with adequate powers to deal with them in a like manner as he dealt with the population of India. What is wanted in Ireland is a judicial system that is not so much severe as that it will be certain in its operation. You want a system under which the felon and the murderer may not say to himself—"I am certain I shall escape from it, because I can prevent its being brought into operation." My noble Friend who has just addressed your Lordships forgets this lamentable fact—that the paralysis of a judicial system such as ours is owing to the fact that minute and exact evidence is wholly wanting in Ireland. If you mean to administer real and effective justice in that country, you must be content with something less than formal proof—you must be content with a more summary jurisdiction. You need not be one whit more harsh; but you must dispense with that mass of precautions which are provided for our own happier country. I look upon this measure as only a temporary one, for no country can go on suspending its constitution. I am glad to intrust the Government with the power of doing so, if they think it necessary; but I hope they will turn their attention to this question of providing such a judicial machinery as Ireland requires. Trial by jury has been tried and has broken down there, and you must find if there is not something else, and something beyond, either in our own experience in our Colonies or in India, or in that of other nations, some machinery which can cope with this great evil; and you must not fear because you may be reproached as being unconstitutional from applying it to this, which is one of the most terrible and disgraceful evils that have ever fallen on any country.

LORD DUNSANY said, he had felt much confused by the concluding words of the speech of the noble Earl who moved the second reading of this Bill, for he gave the House to understand that some districts might possibly remain free from its operation; whereas the Chief Secretary for Ireland, in moving the appointment of the Committee in the other House, had described the condition of things in the districts affected by this Bill as "intolerable."

THE EARL OF KIMBERLEY explained that what he said was that it would be desirable to give to the Lord Lieutenant power to suspend the operation of the Act in any district where at any time during its period it was found not to be required.

LORD DUNSANY said, he was glad of the explanation, which had relieved him from much anxiety. He hoped that the powers in the Bill would be at once put in force, in which case he believed the effect would be much greater than was generally supposed, because the Ribandmen and assassins were, for the most part, well known to the police and to many of the Roman Catholic clergy. He could speak from personal knowledge how much this measure was required, for the quiet neighbourhood in which he resided had been for some time disturbed by four bad characters, who maintained a state of terror; they were well known, although they could not be convicted. By means of this Bill it would be possible to commit to prison the known leaders of the Riband conspiracy, and there was no reason why that step should not be taken. One most important result of this Bill would be the practical acknowledgment that our system of judicature, however well fitted for England, was not fitted for Ireland. The fact was, we worshipped the machinery instead of keeping the great object for which the machinery was intended steadily in view. He trusted, therefore, that if the present Government, or any future Government, should come to the conclusion that the present system did not work well in Ireland, they would not hesitate to substitute for it one that would. It would be far better to preserve life and property by introducing a more effective system than to adhere to one which had become a mere matter of obsolete form, and which being utterly inefficient had become contemptible. This Bill had not been produced too soon, and he hoped it would pass without material alteration from those 15 hon. Friends of Mr. Gladstone who called themselves the people of Ireland, for last Session they caused the omission of some of the best parts of the Peace Preservation Bill. He denied that the people of Westmeath were wanting in courage; but hoped they would be more united now that the Government had undertaken to provide for the security of life and property in their country.

EARL GRANVILLE: My Lords, it is quite clear from the course this debate has taken that the task of the Government in reference to this Bill will be easy, and therefore I do not propose to say anything either with regard to the necessity for this measure, which has been generally acknowledged, or in favour of your Lordships' passing it, but shall direct my observations to one or two remarks which have fallen from noble Lords opposite. The only objection raised to the Bill by the noble Duke opposite (the Duke of Richmond) was that it was not strong enough. Upon that point I think he was a little inconsistent; because, while he blames the Government for not having acted more speedily, he finds fault with the measure which was founded upon the recommendations contained in the evidence given before the Committee of the other House. The noble Duke further complained of us for not bringing in this Bill earlier, and said that he could not understand why we had referred the matter to a Committee. On this point I must remark that the Earl of Derby's Government not only referred the same subject to a Committee, but asked them to consider what remedy should be applied to the evils that then existed in Ireland, and a measure founded upon their recommendations was passed. The noble Duke also charged the Government with having been guilty of great dereliction of duty in not having brought in this measure on the first day of the Session—quite forgetting that this Bill has not been introduced to meet an extraordinary emergency that has now just arisen for the first time, but to remedy an evil that has been growing up during the last 100 years, and presenting different phases, being more violent at some times than at others. I must remind noble Lords opposite that it is no light undertaking to bring in a Bill for the suspension of some of the constitutional liberties of the subject, and to attempt to pass it into law, when the necessity for such a measure is merely shown by a speech from the Government, supported by certain unpublished evidence. I believe the course which has been taken by the Government in this matter is most wise and most fortunate, and that the effect in Ireland will be all the stronger when it is known that this Bill has been passed, not hastily, but after deliberate discussion by Parliament, under a painful sense of duty, with sorrow and with grief. The noble Marquess opposite (the Marquess of Salisbury) stated his own views with regard to Ireland and the difficulty of governing that country; but he did not tell us how far he was prepared to go in order to vindicate the supremacy of the law there. He did not tell us either whether his system of mild despotism was to extend over the whole of Ireland, or only to that part of it to which this Bill applies. The noble Marquess, moreover, told us that he should like to see trial by jury abolished in that country: but it must be borne in mind that the evidence taken before the Committee shows that Ireland, as a whole, is in a most favourable state. Whether this is owing to the recent remedial measures proposed and passed by Her Majesty's Government, or whether it is owing to the material prosperity of the country, there is no doubt that the general state of Ireland is satisfactory. The difficulty which we have to encounter in the exceptional districts would not be obviated by the remedy proposed by the noble Marquess, inasmuch as it is not that we cannot get juries to convict upon reasonable evidence, but that we cannot get evidence to lay before the juries. The noble Lord who last addressed your Lordships expressed a fear that Her Majesty's Government intended to allow this measure, when passed, to remain a dead-letter; but he may rest assured that the Irish Government will put it into force as often as necessity may require them to do so. It appears to me perfectly consistent with the duties of a Government to combine a policy of conciliation with measures for the preservation of the peace of Ireland, and for defeating the machinations of a small minority in that country.

THE MARQUESS OF CLANRICARDE said, he must point out to their Lordships that although the noble Earl (Earl Granville) had assured the House that this measure had been brought in to remedy an exceptional state of things that existed in a small portion only of Ireland, many desperate and outrageous murders had been committed in Mayo and in Tipperary in open daylight. The question resolved itself into this—Did we mean to maintain the supremacy of the law in Ireland? Had the recent measures which had been passed by the British Parliament had the effect of increasing the attachment of Ireland to this country? Were there as many men who stood by the Union now as there were a few years ago? That, however, was not the time for discussing the various subjects relating to Ireland, and he would refrain from doing so. He thought that the House had acted very wisely in not offering any opposition to this measure, but had preferred to leave the responsibility involved by it upon the Government.

LORD CAIRNS: It is evident from the state of the House that your Lordships are not desirous that this discussion shall be prolonged, and, therefore, I do not propose to offer any remarks upon what has fallen from the noble Lords who have addressed us on the subject. I wish, however, to point out one or two matters in reference to the peculiar form of the Bill. I do not intend to propose any Amendments—on the contrary, I think your Lordships propose to accept the Bill upon the responsibility of the Government, and in its present form to send it down to the other House of Parliament. The noble Earl who last addressed the House on the part of Her Majesty's Government said that it was the intention of the Government to give effect to the suggestions which had been contained in the evidence which was given before the Committee of the other House. But, as far as I understand that evidence, the Bill fails to give effect to those suggestions. Thus, Captain Talbot advised the general suspension of the Habeas Corpus Act, with power to the authorities to enforce that suspension locally, on the ground that, if the Habeas Corpus Act were only to be suspended by Act of Parliament in certain named districts, the Riband conspiracy would disappear in those districts only to crop up in other parts of Ireland. Another point to which I wish to refer is that the first part of one of the clauses of the Bill would lead to the belief that the misdemeanour or felony of which the person to be arrested is supposed to have been guilty may be committed anywhere: but when you come to the second part of the clause, the assumption is made that the felony or misdemeanour must have been committed inside of the district. I want the Government to consider whether there is any good reason for that difference between the two parts of the clause. If the largeness which attaches to the first part is proper, why is it not extended to the second? Again, I wish them to consider the difficulties they will get into by the condition as to residence which they have adopted. According to this condition, it must be predicated that the person you are going to arrest is, or has been since the 1st of January, resident in the district. Why not alter the clause and let the assumption be that the person you are going to arrest has been in the district, and not embarrass yourselves with questions about residence which may go to throw doubt on the validity of your warrant? Another question which I wish to ask the Government is, who is to do all the "suspecting" referred to in the Bill? There is one offence which requires three distinct categories of suspicion to exist in order that you may deal with it. In the first place, you are to suspect that there has been a felony or misdemeanour; in the second place, you are to suspect that the person you are going to arrest has been in the district at the time it was committed; in the third place, you are to suspect that he has been a party to the crime; and you must state all this in your warrant. A similar course was followed in all former cases in my experience in which the Habeas Corpus Act was suspended; but you are now departing from the previous form of proceeding, and are defining what are to be the conditions on which alone you are going to put a man in prison, and your warrant, therefore, must comply with all these complicated conditions and state all about these suspicions. I ask, who is to do all this suspecting? Is it to be the Lord Lieutenant?—It seems rather an ambiguous position in which to place him. If it is to be done by a police constable, then what is the check or security in giving these powers to the Lord Lieutenant? I think it would be better not to insert all these categories of suspicion. However, I throw out these points for the consideration of the Government in addition to the other questions that have been raised to-night, and I should be ready, if the Government think it necessary for the protection of the districts now so unhappily situated to ask for those powers, to give them every assistance in my power.

LORD ORANMORE AND BROWNE said, that he intended on going into Committee to ask their Lordships to extend the area to which the Bill should apply; and he thought the circumstances of Ireland, if the Government would consider them, really called on them to take that course. It had been said that the other parts of Ireland were at least comparatively peaceful; but the county of Mayo, in which he resided, which up to within three years ago was one of the most peaceful counties in Ireland, was unfortunately now in a condition which demanded the attention of the Government. According to a Return which had been referred to, agrarian crime had doubled between 1866 and 1868; and it had increased eight-fold between 1868 and 1870 contemporaneously with recent legislation. He found that during the last year there were in Ireland 1,329 agrarian outrages, out of which only 103 were committed in Westmeath, 95 in Meath, 38 in King's County, and he was sorry to say, not fewer than 665 in Mayo. He could not, therefore, see why Mayo was not to be included in the operation of this Bill. Last Session the Peace Preservation Act was passed; and what was the state of agrarian crime during the first few months of the present year? In January there were committed in Ireland 35 agrarian crimes, 9 of which occurred in Westmeath and 9 in Mayo. In February there were 36 agrarian crimes committed in Ireland, 10 of them in Westmeath and he was happy to say none in Mayo; but in March the number committed in Ireland was 36, of which 7 were in Westmeath and 7 in Mayo. The cases for compensation for outrages were equal in Mayo and in Westmeath. He asked how the Government distinguished between one part of Ireland and another under the influence of Ribandism? No evidence could be obtained and nobody could be brought to trial for the worst possible crimes which were raging almost over the whole county of Mayo. He thought it was a most moderate and reasonable suggestion that the Lord Lieutenant should have power to extend that measure to the other disturbed parts of Ireland. The last clause directed that all persons arrested under the Bill were to be treated as untried prisoners. He believed the result of that would be very greatly to extend their facilities of intercourse with their friends outside, and subject them to comparatively lax discipline. In former times the suspension of the Habeas Corpus Act was no doubt a fearful thing for those persons affected by it, because they were often made away with, and at the best were confined in loathsome prisons; but the case was now very different, and the only penalty inflicted on them was imprisonment under generally pleasant circumstances, for the lower class of Irish, who had lived on potatoes and buttermilk, were, while in prison, pampered and fed on the most luxurious and comparatively epicurean diet. So that by imprisoning a man for a short time and under easy conditions—perhaps a man well known as an accessory to a murder or an actual assassin—could not be considered a great hardship, and was not likely to act as a strong check upon crime.

VISCOUNT MIDLETON said, that this was about the fiftieth time that exceptional legislation had been proposed for Ireland. As far as he could see no fresh light had been thrown on the question through the investigations of the Committee appointed by the other House of Parliament; but it appeared from the evidence of the witnesses that the Government had been for two or three years aware of the circumstances which they now brought forward as a plea for legislation. The truth was that though Parliament had been engaged for the last two years in devising the most heroic "measures of justice," "messages of peace," and "remedial measures," no one witness who had been called before the Committee, however anxious to see the good effect that had followed them, ventured to say that any improvement was as yet apparent. Then, late as it had come, the legislation now proposed by the Government was not sufficient for the end in view. He thought that the area in which the Bill was to come into operation should not be circumscribed so closely, or otherwise the perpetrators of crime in one place might escape by crossing the boundary into another. He also thought that the Government should consider the question of the jury panels, and whether power should not be taken in the present Bill to enable two or three Judges to try cases without the assistance of a jury. A third recommendation which he would submit to the Government was that the Peace Preservation Act should be put in force in all its integrity, and that whenever any fine was inflicted on a locality it should be inflicted at the outset and made sensible down to the very meanest inhabitant. Only in that way could the consequences of crime be brought home to those cabins in which it originated. It was important that these alterations should be made in order to improve the efficiency of the Act and divest it of invidious qualities. In this way they might take some steps to meet a state of things the toleration of which was a scandal to the Government, and with which the Government had as yet been unable or unwilling to grapple.

THE LORD CHANCELLOR: I feel grateful for the suggestions of the noble and learned Lord (Lord Cairns) and of other noble Lords who have addressed the House, as well as for the friendly spirit they have manifested to contribute as far as possible to the efficiency of the measure under consideration. A noble Marquess (the Marquess of Clanricarde) has said that the measure is ill-adapted to the exigencies of the case, and that a large portion of Ireland still influenced by a spirit of outrage would be wholly unaffected by the Bill; but the noble Marquess has omitted to observe that by one of the clauses of this Bill the Peace Preservation Act of last year, under which the administration of justice throughout the whole country is made very severe, is to be continued in operation until June, 1873; while the present Bill is calculated to deal with a particular evil long seated in a particular district. The evidence of Mr. Seed, who was Crown Solicitor in Meath and Kildare for 26 years, is very express on this subject. He says, as regards the greater part of Ireland, the effect of the remedial measures adopted by Parliament was such as to convince him that the sympathy formerly existing in respect to agrarian outrage in particular districts did not exist to any great extent, if to any extent at all; but Ribandmen have so long exercised coercion in Ireland that those affected by it cannot be emancipated all at once from the terror they feel. Mr. Seed says that by the protection afforded by such a Bill as is now proposed this terror will be overcome, and the difficulty of getting witnesses will to a great degree cease to exist; and he adds that the fact of giving such powers into the hands of the Lord Lieutenant would probably be sufficient of itself to put an end to the existing state of things, so that it might not be necessary to put these powers into operation at all. Mr. Seed's answer, thus quoted, has caused some alarm lest, after all, the Bill, if passed into law, should not be enforced. I can assure your Lordships that nothing of the kind is contemplated by the Government; but this is what the witness says is possible. We have been recommended in the course of the debate to alter, extend, and vary the powers of the Bill of last Session. Now, I can assure noble Lords that all these points have been fully considered. We are asked, why not have a local trial without the assistance of a jury? Why not obtain easier powers of changing the *venue?* Why not inflict severe pains and penalties upon the district where these offences are committed? As to the last point, I think there has been no lack of energy, and complaint is made that the fines have already in many cases been too heavy. No greater powers are needed in this respect. Again, the difficulty in procuring convictions is not from any default on the part of juries, but from the want of witnesses; and I need not say that, whatever their private opinions, no jury can venture to convict without evidence. From the information received by the Government, traces of which appear throughout this Report, they were led to the conclusion that the evil really arises from the difficulty of procuring evidence to support a conviction; and with regard to changing the *venue*, the Law Officers expressed their opinion that this created no special difficulty, and rendered necessary no change in the Bill of last Session. With reference to the course taken in not immediately introducing a Bill, but first entering upon an inquiry, the Government have been completely vindicated by the noble Earl, who, after a long absence from the House, has spoken this evening (Earl Russell). The course adopted by the Government was, indeed, taken mainly upon the grounds he has suggested. It is no light thing to suspend the Habeas Corpus Act; and, whatever may be said of the state of Ireland, it is no light thing for any country under English rule to be able to say—"You have passed laws which, upon mere suspicion of felony, enable the Government to shut up any person obnoxious to them for a period of two years, or during the suspension of the Act." It must be a grave necessity which can justify such a course. Further, I coincide with the observation of the noble Earl (Earl Grey) that it is not merely the injury which may arise from passing a measure of extreme severity, but you thereby teach persons to rely upon coercion Bills instead of their own exertions in putting down crime in Ireland. It is quite true that it is the long existence of the evil which makes the remedy now proposed absolutely necessary. But we propose it as no permanent measure. As long ago as Bishop Berkeley's day the fable of Hercules and the Waggoner was exemplified in Ireland, where people were always calling upon Parliament to do something for them, and never relied upon themselves. No Government should sanction or encourage such a feeling as this. In my opinion, when coercive measures have been applied for a time the evil will cease. This is also Mr. Seed's opinion; and he says your legislation will gradually turn the tide of sympathy away from the offenders into a different direction, though you cannot yet hope to overcome the terror caused by them. It would have ill become any Government to bring in this Bill in hot haste, in order to cure evils which have endured for centuries, without satisfying the mind either of the English or Irish people that such a measure was necessary by giving them full evidence upon the subject, and also satisfying them, by such information as we have furnished, that the remedy proposed was an adequate one. The present Government are favourably situated for bringing in this Bill, because there is no inconsistency in proposing measures to remedy grievances along with other measures for the purpose of preserving order while the country is recovering from the unnatural state into which it has been plunged by a long course of bad legislation. We may fairly say to the people of Ireland—"We do not give the Lord Lieutenant these powers in order to enforce the payment of tithes to a Church to which you do not belong, or to carry into effect such evictions and ejectments as went on in years long past, but in order to enable you to enjoy freedom from terror and intimidation exercised by evil-minded men, to whom order has always been a misery and an industrious life a torment. It is from the influence of such men as these that we wish to relieve you, thereby enabling you by degrees to range yourselves wholly on the side of the Government, which will endeavour in all respects to protect you in your rights and property. In the course of a few years you will see that you have something worth protecting, and then you will protect yourselves, and will not want the Government to undertake the duty for you."

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

ECCLESIASTICAL COURTS BILL [H.L.]

A Bill for better enforcing the Laws Ecclesiastical respecting the discipline of the Clergy; amending the constitution and regulating the mode of procedure of the Ecclesiastical Courts; and regulating the government of the Ecclesiastical Registries in England—Was *presented* by The Earl of SHAFTESBURY; read 1^a. (No. 84.)

ECCLESIASTICAL PROCEDURE AND REGISTRY BILL [H.L.]

A Bill for regulating the mode of procedure in Ecclesiastical Noncontentious Business, and regulating the government of the Ecclesiastical Registries in England—Was *presented* by The Earl of SHAFTESBURY; read 1^a. (No. 85.)

House adjourned at a quarter before Nine o'clock, to Thursday next, half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Tuesday, 2nd May, 1871.

LICENSING BILL.—QUESTION.

SIR LAWRENCE PALK asked the Secretary of State for the Home Department, If he will name a day for the consideration of the Licensing Bill; if he is aware that it has been calculated that no less than £100,000,000 are invested in the Liquor Trade, and that if the Licensing Bill passes into Law that capital will be depreciated to the amount of £40 per cent; and, whether he intends to persevere with that portion of the Bill?

MR. BRUCE: I wish, Sir, it were in my power to give a more specific answer to the first Question of the hon. Baronet than I have been able to give to hon. Members who have asked it on the last three or four days; but it is quite impossible for me to fix a day for the second reading. With reference to the second part of the Question, I have seen statements made that the capital invested in the liquor trade exceeded even the amount named. I have no doubt whatever that any measure which has for its object the reduction of drunkenness and of excess in the use of liquors must have some effect upon this trade, and I have also no doubt that delay and uncertainty with respect to legislation on this question must operate prejudicially to the capital invested in it; but I can assure the hon. Baronet, on the part of the Government, that there is no desire to inflict upon those engaged in it any injury beyond that which is absolutely necessary in securing the great public object which we all have at heart. With regard to the last part of the Question, all I have to say is that, in accordance with the assurance I gave the House when I introduced the Bill, I will most carefully consider all suggestions for the improvement of it; but I am not at present prepared to say what changes I can make in it.

PROGRESS OF CHANCERY BUSINESS. QUESTION.

MR. SAMUELSON asked Mr. Attorney General, Whether his attention has been directed to the inconvenience entailed on suitors having causes in Vice Chancellor Bacon's Court, by the accumulation of arrears which has been attributed to the divided duties of that Judge; and whether it is intended to provide any remedy?

THE ATTORNEY GENERAL, in reply, said, he understood that there had been some delay in the hearing of cases in Vice Chancellor Bacon's Court; but he was also given to understand that that in great degree arose from other causes. The power existed to transfer causes from one Court to another, and some of the cases now down for hearing in Vice Chancellor Bacon's Court would be transferred to the Master of the Rolls, or to Vice Chancellor Wickens, or some other Judge. He believed that by this means a remedy would be applied. With respect to the question of divided jurisdiction, he was informed that Vice Chancellor Bacon had to sit only one day in the week to hear bankruptcy cases. He believed that to be the case, though he could not state the fact from his own knowledge.

ARMY—VOLUNTEERS—ARMS, AMMUNITION, &c.—QUESTION.

EARL PERCY asked the Secretary of State for War, Why the issue of ammunition for small arms to the Volunteer Artillery has been suspended, while the Rifle Volunteers have for some months past been supplied both with Sniders and ammunition; when the Volunteer Artillery will receive the new weapon, and whether it is to be the Enfield or Carbine Snider; and, whether the 40-pounder Armstrongs will be issued in time for the Volunteers to learn and be inspected in the drill of these guns this season; and whether they will be given in lieu of some of the 32-pounder smooth-bore garrison guns to all Volunteer Artillery, or only to corps which can horse them as guns of position?

SIR HENRY STORKS: Sir, there has been no suspension in the issue of small arm ammunition to the Volunteer Artillery that I am aware of; but if the noble Lord will favour me with the details of any delays that may have occurred inquiry shall be instituted. With reference to the second part of the Question, when the Volunteer Artillery will receive the new weapon and what it will be, I answered it last night. As to the third portion of the Question, it is proposed to issue a battery of 40-pounder Armstrong guns to each district, to be moved about for the instruction of Volunteers in such manner as may be recommended by the Lieutenant Colonel of Royal Artillery to be appointed to each district.

SUNDAY TRADING.—QUESTION.

MR. HARVEY LEWIS asked the Secretary of State for the Home Department, Whether his attention has been called to a report in "The Daily Telegraph" of the 29th April of the cases of Catherine FitzGibbon and Catherine Crawley, who were summoned to the Hammersmith Police Office by a person styling himself "the Reverend Bee Wright," for Sunday trading, under the Act of King Charles the Second: Catherine FitzGibbon kept a stall, and Catherine Crawley sold some winkles; neither had any money, and each was fined by Mr. Dayman *5s.* and *2s.* respectively;

in default of payment Mr. Dayman committed the two women to prison for seven days; and, whether it is the intention of the Home Secretary to order their immediate release from prison?

MR. BRUCE replied that the hardship of which the hon. Member complained rested rather with the Act itself than with the mode in which it was administered by the justices. If it was the pleasure of Parliament that the Act should be repealed the hardship would cease to exist; but he did not think it his duty, as long as the Act existed and was in operation, to interfere with the decisions of magistrates except in very extreme cases. With respect to this particular case, he was happy to observe that by the action of some humane persons the fines had been paid, and the women had been released from custody.

CRIMINAL LAW—CASE OF JAMES SMITH.—QUESTION.

MR. RIDLEY asked the Secretary of State for the Home Department, Whether, having regard to the fact that James Smith (on whose behalf a Memorial from Acklington and the neighbourhood was presented to the Home Office before Easter,) has already been seven weeks in prison, he is now prepared to consider the special hardship of the case, with the view of remitting the remainder of the man's sentence?

MR. BRUCE replied that the case related to another man as well as James Smith, who entered into recognizances for the appearance of a woman related to them. The woman effected her escape, and the men were unable to pay the sum in which they were bound. The ordinary rule was, that unless there was something very exceptional in the case they should be committed until payment, or at any rate for three months. He had inquired into the circumstances, and found that these men did not in any way facilitate the escape, but appeared to have been rather cruelly duped by the person for whom they entered into the recognizances. It was therefore his intention immediately to order their release.

NAVY—LOSS OF THE "CAPTAIN." QUESTION.

COLONEL H. LOWTHER (for Mr. A. Guest) asked the First Lord of the Admiralty, Whether it is true, as stated in the public press, that a demand has been made upon the widow of Captain Burgoyne, of Her Majesty's late Ship "Captain," for payment of amounts due for band instruments and for stationery supplied to the order of the Officers' Mess of the foundered Ship, in consequence of the Admiralty having refused to pay, and having referred the tradesmen to Mrs. Burgoyne?

MR. GOSCHEN: I must ask the hon. Member to be kind enough to repeat the Question on Thursday. I have no personal cognizance of the matter; but the papers which I have seen do not bear out the statement contained in the Question. I wish, however, to have time to make further inquiries on the subject.

BOARD OF TRADE LIBRARY.

QUESTION.

MR. BOWRING asked the President of the Board of Trade, Whether there is any truth in the report that it is proposed to break up and disperse the valuable Library of the Board of Trade, that Library containing about 40,000 volumes of works on economical science and other subjects, and having been formed with great care during a long course of years, and at considerable expense to the Country; and, whether any steps will be taken to remedy the risk and inconvenience caused by the present arrangements, whereby the Library in question has been for some years kept in temporary wooden buildings adjoining the former site of the Board of Trade?

MR. CHICHESTER FORTESCUE said, in reply, that he hoped a suitable habitation would shortly be found for the valuable library of the Board of Trade. In the meantime he was assured by his right hon. Friend the Chief Commissioner of Works that a safe lodgment would be found for the books, which had for some years past been kept in temporary wooden buildings adjoining the former site of the Board of Trade, those premises being now required for the Education Office. The library would be accessible for the use of the Public Departments.

POSTAGE RATE (UNITED STATES).

RESOLUTION.

MR. SEELY (*Lincoln*), in rising to move—

"That, in the opinion of this House, it is desirable that the Postmaster General should propose to the Postmaster General of the United States that the letter postage between the two countries should be reduced from 3*d.* to 1*d*,"

said, that in 1870 the rate of postage to America had been reduced from 6*d.* to 3*d.*, the result being a diminution in the revenue, and a moderate increase in the number of letters despatched. In 1869, under the 6*d.* rate the number of letters sent from this country to the United States was 2,471,000, while in 1870, under the 3*d.* rate, the number was 3,140,000, the Post Office revenue being £74,880 in 1869, and £47,550 in 1870. The parties who had chiefly gained by the reduction were the mercantile class. He wished the House to consider the question, and to endeavour to persuade the Postmaster General to make further reductions in the rate. He did not think the reduction to 3*d.* was sufficient, and he should wish to see the amount brought down to the 1*d.* rate. Some time ago, when the question of the Cunard contract was under consideration, he called the attention of the House to a proposal which would have afforded the poorer classes an opportunity of sending letters to their friends and connections in America by the vessels of the National Steam Ship Company for 1*d.* postage. That offer, however, was declined by the Post Office. As regarded the letters that had been sent, the Government must have taken whatever money was received for such letters. He was sanguine enough to believe that if the rate had been reduced according to his recommendation there would have been a large increase in the number of letters between the two countries. The subsidies paid to the Cunard and Inman lines were about £205,000 a-year, and the postage on letters to America £47,550, so that there was a loss on these contracts of upwards of £150,000. It was very hard that poor people should not be allowed to send their letters at 1*d.* to the United States simply because the mercantile classes wanted to have a quick and safe transit for theirs. He contended that a moderate reduction failed to effect the object in view. It was only by a large reduction that they could stimulate people to write frequently, and could bring the power of writing down to the masses. Speaking on July 12, 1839, on the question of the reduction of postage to 1*d.* as recommended by Sir Rowland Hill, the then Chancellor of the Exchequer (Sir Francis Baring) said—

"Take, for instance, foreign and ship letters, in which a large reduction of postage had taken place, and it might be taken as a general rule that that branch of the Post Office revenue invariably showed the greatest increase of revenue in which the greatest reduction of postage had taken place."—[3 *Hansard*, xlix. 289.]

The Postmaster General of the United States had recently made a Report on the subject of postage, in which he strongly urged that it was the duty of every Government, in furtherance of the principles of education, and of the comfort and convenience of peoples generally, to reduce the expense of postage to the lowest possible standard, showing, too, that all experience proved that the increase of correspondence arising from such reduction would soon restore the income that had been surrendered in that direction. He (Mr. Seely) might fairly point to the enormous increase of letters which followed our own inland postal reduction to the uniform rate of 1*d.* In the last year of the old rate the number of letters was 76,000,000; in the first year of the new system they rose to 169,000,000, and for the past year they amounted to the enormous number of 860,000,000 of letters. The analogy, he admitted, was hardly a strict one between our inland correspondence and that with a foreign country; if it were to be a strict one we should have to take into account the populations, and then we should have 2,000,000,000 instead of the present 6,000,000 of letters in the postal communication with the United States. There were millions in this country closely connected by relationship or association with America. He believed it would not be at all an exaggerated estimate to say that there were from 4,000,000 to 5,000,000 of people in Great Britain who had friends in America. Suppose there were 5,000,000 of persons who wished at times to correspond with America—that was one-sixth of our whole population—and were the American correspondence to be on the same ratio with the inland correspondence, it would amount to 140,000,000 of letters. And it should be borne in mind that whether we sent 3,000,000, or 30,000,000 or 100,000,000 of letters, the cost would be the same as respected carriage. The late Postmaster General (the Marquess of Hartington), in arguing the question two years ago, admitted that a penny rate of postage to America would be a great boon to the people of both countries; but he expressed himself doubtful whether the people would avail themselves of it to any considerable extent. Well he (Mr. Seely) would say let us try. They had done their best to stop correspondence with America, though the 1*s*. rate that not long ago prevailed had been reduced to 3*d*. The Postmaster General, on the same occasion, stated that to the United States there were five newspapers for every six letters, whilst in the inland correspondence the proportion was one newspaper to ten letters. That fact appeared the strongest argument in favour of the reduction he asked for, seeing that the newspapers were sent by the poorer classes because they could be sent for a postage of 1*d*. Taking all these things into account he was of opinion that the Revenue would not suffer. But even supposing there was to be no increase of letters from this reduction — a result which was scarcely possible to realize—the loss to the Post Office, according to the number of letters sent last year, would only amount to £31,700. He freely admitted that if this reduction were carried out in regard to the postage to the United States the same principle should be extended to Canada, Australia, New Zealand, Newfoundland, the Cape of Good Hope, and all our other Colonies abroad. Well, then, according to the Estimates of the last year or two, even if there were no increase of letters after the proposed reduction was in operation, the total loss could not be more than £72,163, which would be a very trifling sacrifice to obtain this immense boon. Ireland would be chiefly benefited by the reduction to 1*d*., and they all knew the poverty that reigned there. The wages of the labouring classes in Westmeath were not more than 1*s*. a-day, out of which they had to pay the rent of the cottage. Was it not hard to charge these men 3*d*. for sending a letter to their relatives and friends in the United States? There was something startling in the fact that amongst 70,000,000 of peoples inhabiting the United Kingdom and America there were only 6,000,000 of letters interchanged in the year. It appeared to him, considering that they were peoples of the same race, speaking the same language, and bound together by the closest ties, that there must be something very wrong in our postal arrangements to account for this result. As a pure matter of business, he believed that the change which he advocated would be remunerative, for in one of the last statistical accounts published it was stated that for June, 1869, the total tonnage in the United States ports from all other countries was 11,877,000 tons, of which 5,716,000 tons alone came from this country. The value of the imports and exports between America and the British possessions during the same period was estimated at $454,000,000; whereas the value of those with America and all other countries amounted only to $397,000,000. Why, then, should there be only 6,000,000 of letters passing between America and this country? His own impression was that the reason was to be found in the 3*d*. postal rate, which presented an obstacle to the correspondence of the poorer classes. He believed that a reduction of the postage to 1*d*. would not only be attended by many important advantages, but that it would very soon repay the postal Department of this country for any pecuniary loss it might sustain in the commencement of the working of the new scheme. The late United States Minister, Mr. Reverdy Johnson, in a correspondence with Lord Clarendon on the subject, expressed his conviction that such a reduction as that proposed would do more to promote friendly feelings between the two peoples, as well as their comfort and happiness, than almost any other measure that could be suggested. The hon. Gentleman concluded by moving his Resolution.

MR. MUNDELLA, in seconding the Motion, observed, that we had set a good example to other countries in matters of commercial enterprise and in postal reductions, though in the latter we had during the last two years been occasionally outstripped on the Continent. The rate between this country and America had been reduced from 6*d*. to 3*d*.; but the reduction had not, he maintained, been carried far enough for the great masses of the people. The question in his mind involved such important results as to demand the serious consideration of all persons who were interested in the happiness and prosperity of the people. He admitted that the late Postmaster General (the Marquess of Hartington) had introduced some useful reforms into the Post Office. It remained, however, for his successor to carry out the reduction of the ocean postage from 3*d.* to 1*d.*; a reform which he believed would prove the most advantageous of all. According to a Report of the Emigration Commissioners in America it appeared that during the last 14 years America had received 7,500,000 emigrants from 72 different nationalities, and of these no fewer than 4,200,000 came from the British Islands. These facts showed how important it was to facilitate as far as possible the means of correspondence between the people of this country and the people of America. He was satisfied that if the reduction were made in the ocean postage the correspondence would grow so fast that it would soon become a good paying concern. Whilst he was in America last year he was surprised to find such ignorance prevailing amongst the Irish portion of the population, who were all Fenians, as to the modifications that had taken place in our laws respecting Ireland during the last few years. They appeared to know nothing of what was going on in the dear old country, as they termed it. He traced this ignorance very much to our postal system, which discouraged correspondence between the poorer classes of both countries. We did not know each other well enough. How little did the English in that House even know of America was shown by the insulting manner in which an hon. Member spoke the other night of American manufactures. Another reason in favour of this reduced postage was because he thought it would contribute more than anything else to that good understanding which they were all so anxious to bring about between this country and America. He trusted the Postmaster General would signalize his advent to office by inaugurating such a postal system as that suggested.

Motion made, and Question proposed,

"That, in the opinion of this House, it is desirable that the Postmaster General should propose to the Postmaster General of the United States that the letter postage between the two countries should be reduced from 3*d.* to 1*d.*"—(*Mr. Seely.*)

COLONEL SYKES said, it appeared to him somewhat incongruous that printed matter should be charged at the rate of 1*d.* per 2 oz, whilst letters which were nothing like that weight were charged 3*d.*, both going by the same ship. The inland postage in India from the Himalayas to Cape Comorin was only one anna, or 1½*d.*; the Post Office receiving very little aid from railways, accompanied with great difficulties and great expense; whereas English letters to America traversed 3,000 miles, without let or impediment after they were once put on board ship. Statistics proved that the consumption of articles on which the duty had been reduced had increased fourfold, and he could not see why a similar result should not follow the reduction of the American postage to 1*d.* It was worthy making the attempt. For communication between distant relatives, if not a necessity, was a great gratification. He hoped the proposal would receive the favourable consideration of the Postmaster General.

MR. HERON supported the Motion. The majority of the letters that passed between England and the United States came from Ireland, owing to the emigration that had been going on for years, and so many families of Irish descent being settled in that country. Nothing would more conduce to harmony and good feeling between the two countries, for there was an old proverb—"The more people looked upon one another the more they liked one another." There were from 4,500,000 to 5,000,000 of Irish resident in America; but only about 6,000,000 of letters passed between the two countries, being less than one per head. At present the postage was 3*d.* It appeared a small sum; but it should be borne in mind that it was levied, so far as Ireland was concerned, from the poorest class of Her Majesty's subjects, and those who could least afford it. He believed the loss on the carriage of letters to the United States was £40,000. Therefore the postage was no source of profit. Why, then, not try ocean penny postage at once?

MR. MONSELL said, he hoped he need not assure the House how entirely he sympathized with the motives of those who took an interest in this subject, and that he concurred with them in opinion that it was of the greatest importance they should give every facility for communication between the numberless families resident in the two countries; but he did not believe that a reduction would be followed by the large increase of correspondence expected by them. He believed that the cheap money-order system between this country and America would be considered a greater boon by the Irish emigrants than any reduction of postage on their letters. The reason he did not think increased correspondence would follow a reduction of postage was that, from inquiries he had made in reference to Manchester, London, and other towns where the Irish were located in great numbers, he found that even with the penny postage communications with their relations and friends in Ireland were few. The more general practice among those having friends in America was to send a newspaper, from which the recipients gathered that their friends were well, and had them in remembrance. He sympathized fully with those who desired to establish the closest relations with our Colonies and with America; but the real question the House now had to decide was whether there was any probability that the proposal of his hon. Friend, if adopted, would pay. He had not an inexhaustible purse at his command, and it would not be just to make the community at large pay for the advantage of the small class who corresponded with America. He had been in communication on that subject with Sir Rowland Hill, the great postal reformer, who said—

> "He had always expressed it as his opinion that, except under very special circumstances, every branch of the Post Office should be at least self-supporting, and he saw no reason to depart from that opinion. Unless that principle were acted upon a species of protection, as it seemed to him, was introduced into the Department, and one class of the nation was called upon to pay for the benefit, real or imaginary, of another; and that the suggested reduction of the postage to the United States to the rate of 1*d.* would be altogether inconsistent with the principle of self-support."

If the change could be made, as his hon. Friend (Mr. Seely) had said, with but very little loss, he should be glad to adopt the proposal; but as the present contracts were in force until the 31st of December, 1876, it would be impossible to undertake any further reduction of the postage rate without any increased loss, which he did not think it proper they should bear. His hon. Friend stated that of which the Post Office here had no knowledge—namely, that the American Government were about to reduce their inland rate to 1*d.*; but looking at the present rate of postage in America, it would be impossible for him to communicate, as his hon. Friend had recommended, with the Postmaster General of America in order to have a reduction from 3*d.* to 1*d.*, for this simple reason, that it would involve a direct and positive interference with the internal postage of the United States. It could not be expected that the United States, which charged 1½*d.* for carrying a letter from a neighbouring town 20 miles from New York, would carry a letter of the same weight through New York to this country for 1*d.* The financial results of previous reductions was not very encouraging. The amount we received from sea postage under the 1*s.* rate, before the reduction in 1867, was £130,000. In 1868, when the 6*d.* rate came into operation, the amount received fell to £92,730, the effect of the change being to add in the year in which it was introduced about 23 per cent to the number of letters sent to America, the normal increase, however, being about 7½ per cent; the increase of letters due to the reduction of the rate was therefore only 16½ per cent. Another reduction was made by the present Chief Secretary for Ireland (the Marquess of Hartington) from 6*d.* to 3*d.*, the effect of which was to increase the number of letters 19½ per cent in addition to the normal increase of 7½ per cent; and the revenue from sea postage fell to £47,000. Was there, then, any sound reason to expect that a further reduction to 1*d.* would have a magical result on the Revenue? There was a reduction from 2*s.* to 1*s.* 6*d.* on the Pacific correspondence, when the increase of letters was hardly perceptible. In the case of the West Indies, in 1863, there was an increase from 6*d.* to 1*s.*, when the letters were reduced only 10 per cent. In regard to the Cape of Good Hope, in 1868, the postage was raised from 6*d.* to 1*s.*, and the letters decreased only 13 per cent, while the sea postage receipts increased 70 per cent. The postage to India was raised, in 1868, from 6*d.* to

9*d*., and, strange to say, that increased charge was followed by an increase in the number of letters of 13 per cent, the reason for that apparent anomaly being that the means of communication with India were considerably improved. The cost to the Post Office of the present service of ocean postage was £830,000, of which only £363,500 was returned. There was thus a loss of £474,000, which would be increased by £295,000 if the whole of our ocean postage was reduced to 1*d*., and he need not point out that it would be impossible to make that reduction to the United States without making it also to our own Colonies and to South America. He therefore ventured to ask the House whether it would be right for this country to run the risk of so serious a loss as £769,574, which must greatly diminish the postal advantages to be derived by the people of this country. If they pursued this course, the Post Office would become a spending instead of a revenue department. If every application to the Post Office had to be referred to the Treasury for inquiry whether it would pay, the result to the public would be that few improvements could be effected. He thought his hon. Friend who brought forward this Motion was a little out of time in regard to the application he made to the House. At least, his hon. Friend might be content to wait until the termination of the present contracts, when there would be good reason to hope that a considerable reduction of the rates might be obtained. The mail contract to America would expire at the end of 1876; but that with the Peninsular and Oriental Company would be of longer duration, and if any reduction of the rates of postage were made during the terms of those contracts there must result an increased loss of Revenue which would diminish the advantages that ought to be derived by the people of this country. In comparing the inland postage with the foreign, he had to regard 900,000,000 letters as against 3,000,000 or 4,000,000, and he thought it would not tend to the happiness of the people of this country to sacrifice the interests of the greater number, though he agreed with the object his hon. Friend had in view, and earnestly desired to carry it out. He asked that the subject might be left in the hands of the Post Office authorities, who would not neglect it, but would use their best endeavours to make a reduction of postage whenever they could do so without sacrificing the principle that Sir Rowland Hill had laid down. After that assurance he trusted his hon. Friend would not press his Motion to a division.

MR. CANDLISH observed that his hon. Friend's (Mr. Seely's) proposal was a limited one, as compared with that which the right hon. Gentleman had just answered. His hon. Friend desired that the postage to the United States should be reduced to 1*d*., and that a similar reduction should apply to the Colonies. This would entail a loss to the Revenue of £21,000 a-year by our postage with the United States, and £30,000 with the Colonies. But the right hon. Gentleman had widened the proposition by making it embrace the entire ocean postage, entailing a loss of £295,000 per annum beyond the loss now incurred. So that the right hon. Gentleman had not given a specific answer to his hon. Friend the Member for Lincoln. The principle on which the right hon. Gentleman resisted the Motion—namely, "that each branch of the Post Office should be at least self-supporting"—was violated in practice already, since, as the right hon. Gentleman himself admitted, we incurred a loss of £474,000 a-year by the present ocean postage. The question was therefore reduced merely to one of degree. If the principle laid down by Sir Rowland Hill were now applied generally, our postal communication would have to be closed in every part of the globe. The right hon. Gentleman was not called upon to interfere with the domestic arrangements of the American Post Office, and in not expecting any great increase of correspondence between the two countries, he forgot the educational influences that were at work. On social, commercial, and especially on political grounds, his hon. Friend's Motion was most politic, and if its adoption cost the country an additional £50,000 a-year it would be well worth the money.

MR. WHITE said, he could not see with what logical or fiscal consistency the Postmaster General could maintain that every branch of the Post Office should be self-supporting, seeing that whilst he insisted on the maintenance of an almost prohibitory tax on the communications of the poorer classes of our fellow-countrymen with their friends and connections in the United States, Canada, New Zealand, Australia, and the Cape of Good Hope, his Department did not begrudge losing quite £400,000 a-year by the postal facilities it afforded to the opulent and influential classes connected with India, China, Japan, and the West Indies. His hon. Friend the Member for Lincoln (Mr. Seely) had proved that if the rate of postage to the United States, North America, Australia, and the Cape of Good Hope were reduced to an uniform charge of 1*d.*—assuming not one more letter was transmitted at this reduced rate of 1*d.*—still the total annual loss to the Post Office could not exceed £72,163. And if the reduced rate of 1*d.* were limited to the United States, and no more letters sent than now, the loss would only be £31,700 a-year. One could hardly over-estimate the political, commercial, social, and moral influences which would accrue from such facilities of communication being afforded to the English-speaking communities—whether across the Atlantic or in all our American, African, and Australian Colonies. And yet this great boon was denied to the poorer classes of this country, because, forsooth, there might be a possible, but not a probable, loss of Revenue to the extent of £72,163—for it is obvious that there would be a great increase in the number of letters sent, and that the ultimate loss would not be more than about £50,000 a-year, if as much. Yet in face of such a trivial contingency he was surprised to find that the Postmaster General persisted in opposing the proposal of his hon. Friend the Member for Lincoln. He (Mr. White) did not hesitate to declare that it was monstrous that England, the great colonizing Power, should continue to so heavily tax the communications of the poorer classes of this country with their friends and relatives beyond the seas. The present rates of postage for a half-ounce letter were 1*s.* to the Cape of Good Hope, 6*d.* to the Australian Colonies, and 3*d.* to the United States; up to the 1st of January, 1870, it was 6*d.*, and up to the 1st of January, 1867, 1*s.* to America. With the declared willingness of the American Government "to co-operate in a further reduction of the rate of international letter postage to the lowest practical standard," he did yet hope the Postmaster General would accede to the Motion of the hon. Member for Lincoln. He (Mr. White) would not adduce the vast magnitude of our commercial relations with the United States nor refer to the inestimable advantages inevitable on cheaper postal facilities between the two countries. He could, however, point out to the House that the proposed reduction would be of signal benefit to the poor and emigrant classes on both sides of the Atlantic. And he would remind them that during the last 28 years 7,794,328 emigrants had left our shores, and of that number 5,220,775 had gone to the United States. Moreover, those emigrants had thence sent, and continued to remit, quite £1,000,000 a-year to their poor relatives and friends, either to enable them to join them in America or to minister to their sustenance and comfort at home. He would beg to observe that the Post Office made a profit last year of £1,559,000. And if the opulent and influential classes had defrayed the whole expense of their oceanic communications the profit would have been quite £2,000,000 sterling. So that, in conformity with the self-supporting principle now urged by the Postmaster General, that large sum should have been employed for the benefit of his own customers. Here he would remark that he (Mr. White) had ever been opposed to the idea of the Government making the Post Office a source of Imperial revenue. He had always contended that any amount derived from the Post Office receipts beyond the actual expenditure should be appropriated either to cheapening the cost or extending the facilities of postal communication. That, he would remind the House, was the permanent policy of the Government of the United States. He instanced the American policy because the Chancellor of the Exchequer had very recently imported and striven to naturalize an American notion in finance. In the United States the Post Office last year cost little short of £5,000,000, while the Returns were little over £4,000,000, thus leaving a deficit of nearly £1,000,000 sterling. In the United States, so far from seeking to make a profit by the Post Office Department, they do not care, as some suppose, if it be not self-supporting. In 1866 the Postmaster General of that Republic reported that his expenditure had exceeded his receipts by £350,000, and then said—

"It has always been an erroneous theory in the history of the postal service of the United States that it was established or sustained on the principle of wholly defraying its own expenses out of its own revenues; or, in other words, on the principle that it should be self-supporting. It is a great public necessity to accommodate private citizens, and it will not do to say that no mail route should be opened or post office established until the business on the proposed route, or of the proposed office, shall pay all its expenses."

The American Postmaster General added—

> "This service, under the liberal patronage of the Government, has done more to aid in developing the resources of the country than anything else, except the cultivation of the soil. It has done more to aid in enlightening and christianizing the people than anything else except the spelling-book and the Bible. The Post Office and mail route travel with civilization and mark its progress as distinctly as the school-house and the meeting-house."

He (Mr. White) would say no more than that as the change proposed by the hon. Member for Lincoln could be effected with so little cost to the Treasury, he hoped the Chancellor of the Exchequer would take the matter into his serious consideration with the view of making the desired concession.

MR. HADFIELD supported the Motion, and trusted the Prime Minister would himself take the matter in hand. It could not rest on the answer which had been given by the Postmaster General. Economy was of undoubted importance; but the additional cost this reduction might incur would be well repaid, if not in money, at least in advantages to the people, far exceeding present calculation. He prayed the Prime Minister to take the matter into his serious consideration, and not to drive his supporters to vote against him on a matter of such vast importance and pecuniary insignificance.

MR. GLADSTONE said, his hon. Friend who had just sat down had made an appeal to him, and in reply to that appeal he must state that he was somewhat astonished that the observations of the Postmaster General had not met with a more favourable reception from those who supported the Motion. The hon. Member for Brighton (Mr. White) said that the Post Office did not observe the self-supporting principle, and that consequently there could be no objection to this Motion on the ground of charge. Then he (Mr. Gladstone) must say that there had been great improvidence in the regulation of our postal relations heretofore; most burdensome contracts had been made, and this fact did not in itself constitute a reason for further public expenditure in the extension of those communications, but, as far as it went, it was a reason the other way, and it obliged the Government to look at Motions of this kind with more jealousy than they would otherwise wish to do, and especially when a Motion was couched in the stringent terms the hon. Member had adopted. The hon. Member was not contented with any general intimation that the Government should use their efforts in the way contemplated by the last speaker; nay, more, he was not content in his Motion with the terms he used in his speech. His speech was to this effect. He was convinced that a measure of this kind, for the establishment of an ocean penny postage with America, could be adopted without loss, and in the last sentence he expressed a desire that the Government should enter into communication with the Postmaster General of the United States for the purpose of ascertaining whether that was so. There was no difficulty in entering into communication with that view; nay, more, he would not say absolutely that no further loss was to be incurred; but he would say confidently that the Motion, in its present form, was one that ought not to be adopted, and which the Government could not accept. It was not consistent with courtesy between two countries that a Legislative Chamber in one of them should undertake to lay down by a Resolution a kind of direction to the other, involving a most important change in its internal arrangements, or that communications on the subject should be opened by a formal Resolution of a Legislative Chamber. With respect to the question of loss, there was a good deal the Postmaster General would have to consider, for we were at present labouring under contracts, unfortunately renewed with America, for reasons to him totally unintelligible; and he was exceedingly sorry that those who renewed those contracts, and who involved this country in a very heavy charge, so far as he knew without any necessity, were not present to take part in this discussion, and to explain their views of the policy that ought to be pursued. But the bench where they might have been, and where they ought to have been, was, as was very commonly the case, an absolute solitude. The Postmaster General was most willing to enter into this subject, with a view of promoting a further reduction in the rate of postage. Nay, more, he was willing to take as his final aim, the rate proposed by the hon. Member (Mr. Seely), if it could be adopted. But the Government were not willing to accede to a Motion so stringent in its terms, because to go to the Postmaster General of America with that Resolution would be the very worst method of introducing the subject. If they must pass something, he hoped it would be a Resolution in this form—

> " That, in the opinion of the House, it is desirable that the Postmaster General should enter into commnnication with the Postmaster General of the United States in order to consider whether it would be practicable further to reduce the rates of postage between the two countries without imposing undue charge upon the public Revenue."

He did not say what was due or undue; but it was absolutely necessary to keep the matter in view when we contemplated communication with the authorities of foreign countries. Let the Postmaster General have a little time and liberty to see what could be effected; and then, if the results were not satisfactory, the hon. Member would have it in his power to return to the charge on a future occasion. He would move that the Motion be amended in this manner; and exceedingly glad would he be if they were able to establish what the hon. Member desired. But he trusted it would never appear to those who paid the rates of inland postage in this country that if a letter could be sent from London to San Francisco for 1*d.* it was unreasonable to charge 1*d.* for sending a letter from London to Brompton.

Amendment proposed,

> To leave out from the word "desirable" to the end of the Question, in order to add the words "that Her Majesty's Government should enter into communication with the Government of the United States, in order to consider whether it would be practicable further to reduce the rates of postage between the two countries without undue charge upon the public revenue,"—(*Mr. Gladstone,*)

—instead thereof.

Mr. SEELY said, he had a very few words to say in reply to the remarks of the Postmaster General. The Postmaster General had mystified the House by stating that the loss consequent on the adoption of the Resolution would be something like £295,000, if there was no increase of letters. But he (Mr. Seely) limited himself to England and the English-speaking Colonies of Canada, Newfoundland, Australia, New Zealand, and the Cape of Good Hope, and he had taken special pains to insure the accuracy of his figures and deductions, which showed that the penny rate, even assuming that there was no increased correspondence, would involve a loss for the United States of no more than £31,700, and for the Colonies of no more than £40,463, making a total of £72,163. However, as it appeared to be the general wish of the House that he should do so, he would withdraw his Motion. ["No, no!"]

Sir ROUNDELL PALMER called attention to a point of form which appeared to have been overlooked both by the Mover of the Resolution and by his right hon. Friend the Prime Minister. Both in the original Motion and the Amendment the form was "that the Postmaster General should propose to the Postmaster General of the United States." The proper form, he thought, would be "that Her Majesty's Government should communicate on the subject with the Government of the United States," so as not to commit the matter to the heads of Departments.

Mr. GLADSTONE: My hon. and learned Friend is quite right.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Question proposed,

> "That the words 'that Her Majesty's Government should enter into communication with the Government of the United States, in order to consider whether it would be practicable further to reduce the rates of postage between the two countries without undue charge upon the public revenue,'

be added, instead thereof."

Mr. SEELY said, he would accept the Amendment.

Mr. HADFIELD said, he proposed to omit the words in the Amendment—"without undue charge upon the public Revenue."

Amendment proposed to the said proposed Amendment, by leaving out the words "without undue charge upon the public Revenue."—(*Mr. Hadfield.*)

Mr. GLADSTONE regretted that his hon. Friend had proposed the Amendment, as the words proposed to be left out were reasonable in themselves, and if they were now struck out an inference might be drawn that the reduction of postage was to be carried out—to use a common and almost slang phrase—"wholly regardless of expense."

Mr. WHALLEY said, the view of his hon. Friend the Member for Lincolnshire was not that the proceeding be carried out regardless of expense, but, to some extent, regardless of the risk of the diminution of Revenue.

Mr. COLLINS said, he hoped the hon. Member for Sheffield would not divide the House.

Mr. HADFIELD said, he would withdraw his Amendment.

Question, "That the words proposed to be left out stand part of the said proposed Amendment," put, and *agreed to.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved, That, in the opinion of this House, it is desirable that Her Majesty's Government should enter into communication with the Government of the United States, in order to consider whether it would be practicable further to reduce the rates of postage between the two countries without undue charge upon the public revenue.

COMPULSORY MILITARY SERVICE.

RESOLUTION.

Mr. O'REILLY, in rising to move—

"That, in the opinion of this House, to place the country in a state of permanent security it is necessary to establish our military system on the basis of recognizing the obligation of all citizens to defend their country, and of fitting them by training for the discharge of their duty,"

said, when the Secretary of State for War introduced the Army Regulation Bill, he stated that three questions had engaged the attention of Government—the abolition of purchase, the connection of the Militia with the Line, and compulsory service. On the two first he had entered very fully, but on the third—that of compulsory service—he had dwelt very little. His right hon. Friend merely argued that compulsory service was unnecessary in ordinary circumstances, and ought not to be resorted to, because voluntary enlistment had hitherto worked well. Now, it was not unnecessary in his (Mr. O'Reilly's) opinion in considering national defence, and hence it was that he now wished to challenge the sense of the House on the subject. In order to test whether the proposals of the Government were adequate, he would seek no better authority than the right hon. Gentleman himself. The key of the whole problem was the question of Reserves. It was admitted on all hands that an ample Reserve force is not only necessary to, but the very foundation of, a satisfactory system of national defences. Reserve forces must be divided into two classes, the first being reserves of troops to supply the place of battalions, brigades, or divisions which had been so reduced as to be no longer able to hold their position; and the second, reserves of men to raise the ranks from the peace to the war establishment, and then to maintain them on the last-named footing by supplying the waste of war. This second class of reserves he took to be of far greater importance to the State than the first. What he wanted to know was not the number of men we had "in the Estimates," but what we had in fact. The number of men that the Government estimated we should ultimately have in the Reserve was 179,000 men; and it was calculated that of the 32,000 recruits required yearly to keep our Army at its proper standard, 15,000 would be three-years'-service men. But, he would ask, how far were we likely to get the number of short-service men so estimated? The Report of the Inspector General of Recruiting showed that the majority of the men who presented themselves for enlistment looked forward to a pension, and preferred not to join for the short period service, although everything had been done to explain the relative advantages of the two periods of service. Then, in answer to a Circular, the Secretary for War had ascertained that out of 180,000 troops, the well-conducted men who elected to join the Reserve were only between 3,000 and 4,000. A Return he had for five months showed that the recruits for long service were 12,000, as against 2,500 for short service. The highest number for short service was obtained in December; and if that maximum were kept up throughout the year it would give us 9,600 a-year, and ultimately 90,000 of a Reserve, instead of the 179,000 calculated upon by the Government. It might be that ultimately the relative proportions would be altered; but, at present, there was no such prospect. But the Report, too, showed that the men enlisted were, for the most part, in their 18th year, and averaged 10 stone in weight. This showed that they were drawn from the usual source from which recruits were taken, that they were rather weak lads, under-fed, and from the necessitous portion of the population, so that the prospect of recruiting from a hitherto untouched stratum of the population had not been realized. As to the Militia, it was a reserve body of troops, but not a reserve of men. He regretted that the Secretary of State for War had not adopted General Peel's suggestion; for he was sure that a great number of the Militia would volunteer for the Line, and Government would thus be saved the scandal of applying to the Militia when the hour of danger arrived. The Volunteers were broken up into small bodies, very few of which consisted of battalions of more than 800 men; and if such corps as the London Scottish and the London Irish—who would fight, no doubt, as their countrymen had always fought — went into action, where were the reserves to supply their ranks? There was one other Reserve in the Government plan—the emergency Ballot—which he looked upon as perfectly useless, however much he approved of it as recognizing the principle that each man was liable to defend his country.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 3rd May, 1871.

MINUTES.—Select Committee—Law of Rating (Ireland), Sir Frederick Heygate and Mr. Bagwell *added.*

Public Bills—*Resolution reported—Ordered—First Reading*—Pensions Commutation Acts* [122].

Ordered—First Reading—Trust Funds (Investments* [123]; Salmon Fisheries (Ireland)* [121].

Second Reading — Women's Disabilities [13], *put off;* Fires* [44]; Local Legislation (Ireland) [43], *debate adjourned;* Benefices Resignation* [111].

Select Committee—Inclosure Law Amendment* [32], *nominated.*

Committee — Report — Metropolitan Poor Act (1867) Amendment* [119].

Third Reading — Private Chapels [112], *adjourned.*

WOMEN'S DISABILITIES BILL—[Bill 13.]

(*Mr. Jacob Bright, Mr. Eastwick, Dr. Lyon Playfair.*)

SECOND READING.

Order for Second Reading read.

Mr. JACOB BRIGHT observed that when the question of the removal of the electoral disabilities of women was first brought before the House in 1867, it was regarded with feelings of curiosity, and probably most of those who remained to hear the debate did so in the expectation that they would get some amusement from it. When the Bill, of which he was about to move the second reading, was last year submitted to the House, its opponents somewhat underestimated the amount of Parliamentary support it would receive. They had no idea that in a house of between 200 and 300 it would be read a second time by a considerable majority. Such, however, was the fact; and when it was borne in mind, in connection with that fact, that there were 170 Members of the present Parliament who had, at one time or another, given their sanction to the principle of the Bill, he thought he might state that they now approached the discussion of it with a feeling that they had a subject before them as serious and important as any which had ever occupied the attention of the House or country. He had no means of knowing whether the House would read the Bill a second time to-day; but, if he might judge of the future by the past, he could say if they did not read it a second time to-day, they would do so at no distant period. Whatever measures had been generally supported by the large Parliamentary boroughs had found their way to the Statute Book. The great towns had recently decided in favour of household suffrage for men; and they had now decided, not with entire unanimity, but with a remarkable approach to it, in favour of this Bill for giving household suffrage throughout the country without any distinction of sex. Edinburgh and Birmingham, Manchester and Bristol, Leeds and Brighton, Oldham and Sheffield, Halifax and Bolton had given an undivided vote in favour of the Bill. He would not go into the general question of unequal legislation as between men and women. He believed the House pretty well understood the whole subject. Women asked for the Parliamentary suffrage because they bore in common with men all the burdens of the State, and because they believed that they had a constitutional right to influence the making of the laws which they had to obey. The great and oppressive inequalities in the laws as between the sexes supplied them with a practical motive of the very strongest kind to endeavour to obtain the franchise, from a knowledge of the fact that only those who could influence the legislative body had any chance of getting their grievances redressed. Two recent cases might be quoted as illustrating the state of the law between men and women. One was the case of a grandchild of Lord Mount-Cashell—a child taken away from the guardianship of its mother by its father. The case was most severely commented on by the Judge, and the Court would have liked to give a decision entirely opposed to that it gave. He did not say that the child, instead of being the property of the father, should be the property of the mother, but in a matter of this kind there should be some just decision, and, if there was any choice, certainly the child should go to that parent who would best do a parent's duty by it. Another case came before the Courts the other day, and the question was whether in this country a widow had any right to bring up her child in the religion she professed. The father was a Roman Catholic, the mother a Protestant, and the child was eight years of age. The father had left no instructions as to the religion in which the child should be trained; but the relatives of the dead father absolutely controlled the mother, who was obliged to have her child brought up in the Roman Catholic religion, although she herself entirely disbelieved it. Women had discovered that whenever a class of persons hitherto debarred from the franchise were admitted within the political pale, a very decided change soon occurred in the legislation affecting them. Until working men got votes the House had looked with considerable suspicion on trades unions, and would gladly have suppressed them; but now they had legislated for them in a spirit of justice, and probably even of generosity. He did not believe this change was owing to the fact that working men could now meet them at the polling-booth, and there assert their powers. He attributed it to a much better motive. When working men were enfranchised the House had been compelled to look at every question which affected them, and were likely, therefore, to arrive at more truthful and just decisions. If women had the franchise the House would get to know their opinions and feelings, and legislation affecting them would be more successful. Had they possessed the franchise, would the Women's Property Bill have met the fate it did? It passed that House and reached the other Chamber, where the voice of justice was not always heard unless its demands were in harmony with the supposed interests of those who assembled there. What was done with it? The Peers destroyed the Bill and created another. During that process the Government, so far as he recollected, were inactive, and did not lend the slightest assistance to the admirable Bill sent up by that House. He did not blame the Government; they were over-weighted with business, having three times more on their hands than they could possibly get through. They must choose what measures they could give attention to, and must do the work of their masters—those who made and could unmake them. To suppose they could give attention to the interests of the unenfranchised was to suppose what was impossible. That Bill came back with the principle knocked out of it—a thing of shreds and patches, very good for the lawyers, but very difficult for anyone else to understand; and to this hour confiscation of property at marriage was the law for women in this country. The Government had been obliged to take up the subject of University Tests, especially during the last two Sessions, the object being not to enable Nonconformists to obtain an academical education, but to enable them to enjoy certain emoluments they could not otherwise reach. But how was it with women? A struggle was going on among women for a higher education. At Edinburgh University some half-dozen women of great ability, high character, and industry desired to become qualified as medical practitioners—not seeking emoluments and honours, but simply the education which such institutions were supposed to give; but nobody came down to that House for their relief; no great party was set in Motion; the Government was silent while half-a-dozen women were heroically fighting their own battle against a high-class trade union in that city. In the course of the discussion on the Bill for legalizing marriage with a deceased wife's sister, several hon. Members referred to what was said to be the opinion women entertained of that measure. The hon. Member for Boston (Mr. Collins) had read a passage from the *Women's Suffrage Journal* to show this. That journal, conducted by a woman, was as ably conducted as any journal in the kingdom, and more than any other paper represented the suffrage associations of the country. Women, however, were not satisfied with that sort of irregular representation in this House. What they said was that if their opinions were of any value, if their condition was to be studied at all, they ought to express their views by the constitutional method—through the polling-booth, precisely as men did. With a conscientious desire to lessen infanticide, the hon. and learned Member for Salford (Mr. Charley) had introduced the Infant Life Preservation Bill. If it affected anyone, it affected women, and it was natural they should consider it. These women's suffrage societies were becoming vigilance committees, which watched the legislation of the House with regard to women. They agreed with the hon. and learned Member for Salford in his object, but they differed from him in regard to the means by which he proposed to attain it. They had presented a Memorial to the Home Secretary against the Bill, and they had sent it to every Member. Was it not of some use to hon. Members to see the criticizms of women upon the Bill? And if it were, was not their demand a reasonable one, that they should be allowed to express their opinions at the polling-booth? If political disabilities ought to exist at all, it would be more fair to place them on men than on women; if either men or women should be without votes, it ought to be men; and his reason for that opinion was that men had ten times the means of influencing the Legislature of any country apart altogether from votes. They had physical strength, combative qualities, opportunities of meeting, and the almost entire control of the Press, the platform, and the pulpit; they were the masters of all the great professions in this country; they had the command of the purse; and when all these things were considered it appeared to him that hon. Members sitting on that side of the House, who had always been in favour of representation, could hardly enter the Lobby to vote against this Bill without feelings of discomfort almost akin to shame. Among those who opposed the Bill last Session were the right hon. Member for Kilmarnock (Mr. Bouverie), the noble Lord the Member for Haddingtonshire (Lord Elcho), and the hon. Member for North Warwickshire (Mr. Newdegate); and, if he could have selected his opponents, he would have picked out these three Members. From the names of his opponents he should expect that they would bring forward arguments drawn from prejudices rather than from reason; and he found that the arguments which did service a few years ago in opposition to the extension of the franchise were disinterred. As it was said that men did not want the franchise, and men were produced who did not want it, so with respect to women now; but during this Session there had been presented to Parliament in favour of the Bill 420 Petitions, to which 150,000 signatures were attached; and 150 meetings of varying character, but many of them crowded, had been held in support of it in the United Kingdom, but mainly in Scotland and England. It was said that the franchise would be a curse to women; but it might be assumed that women were the best judges of that; and there had recently been presented to the Prime Minister a Memorial in support of the Bill, signed by women, and headed by the names of Florence Nightingale, Harriet Martineau, Miss Carpenter, and several ladies of title. He now came to the pedestal or pinnacle argument, which was that women stood in too high a position to be subjected to the dirt and mire of politics; but everything in this world had its baser side, including religion, literature, and art, and we did not attempt to exclude women from them on that account. Those who used this pinnacle argument were members of aristocratic families, and belonged to that privileged order in which women stood on high social pinnacles; but he did not come there to advocate the claims of women who stood upon any pinnacle or pedestal whatever, he came to plead the cause of those who, less powerfully armed by nature, less favoured by law, had to do the rough work of the world in the face of obstacles more formidable than ever beset the path of men. He did not underrate the importance of adding 14 or 16 per cent to the constituency, but what he regarded as serious was the neglect of this demand for enfranchisement, because Parliament could not legislate successfully for a community with so large a portion of which it had no relation. If the Bill passed, no demand for a Dissolution would come from women, who would know that from that time the questions in which they were concerned would assume a different aspect, because they would have votes at the next election. The present Government in its first Session enabled women to vote at municipal elections; an eminent Member observed to him at the time—"That vote means the other," and the public had made up their minds that it did. Last Session women were enabled to vote for members of school boards, and to be members of them, too, as they were in several places. As women could not be elected by large communities without being known to them, and as they had been encouraged to present selves to constituencies, it appeared to be impossible for a Government which had gone so far to justify itself in preventing women from voting once in four or five years at Parliamentary elections. Last year, the Government being neutral on this question, the House passed the second reading of the Bill by a large majority, and then there came over the scene a remarkable change, which he never could understand; but there was a panic, and in a state of panic men always saw that which did not exist. There was set to work machinery which more than once he had seen employed to upset just decisions; and on that occasion this result was achieved. He cared very little about the party aspects of this Bill; but if, as was alleged, the political power of women would be Conservative, it was a question for the grave consideration of the Government whether they would make it more Conservative by promoting its closer alliance with the Conservative party. Last year the Home Secretary did not conceal, but rather attempted to avow, that if he had been left unfettered he would have voted for it; the Solicitor General voted for the Bill, and had spoken warmly in its favour before his constituency; the Solicitor General for Ireland voted for it; and the Secretary of the Poor Law Board was a supporter of it; the Secretary to the Admiralty voted for Mr. Mill's Resolution in favour of the enfranchisement of women. There were other Members of the Government who had never availed themselves of any opportunity of voting against the Bill. The Attorney General had not done so; the Vice President of the Council, who had admitted women to the membership of school boards, would hardly be likely to do so; the Under Secretary at the Home Office, and the Secretary to the Treasury, had not voted against it; and, without inferring that all these were in favour of the Bill, he must conclude that there was something favourably suspicious in the fact that they had not voted against it. The great principle of the Liberal party was that taxation and representation should go together; and with so many Members of the Government favourable to the Bill, and others not hostile to it, it would not be a very unlikely thing that they should on this occasion leave this an open question, and allow the House to dispose of it free from their influence. [Mr. GLADSTONE: Hear, hear!] He rejoiced that the Prime Minister would co-operate with them so far as to allow the House to dispose of the question according to its own view. Parliament had made the home the political unit, do not let it maintain disabilities in those homes bereft of the father, and where the support to be derived from the presence of men was not to be found. The hon. Member concluded by moving that the Bill be read a second time.

MR. EASTWICK, in seconding the Motion, said, that as he had had no opportunity of speaking in the debate on this question last year, although his name was then as now on the back of the Bill, he naturally felt desirous of stating the grounds on which he supported the Bill, and had placed his name in a somewhat prominent position with regard to it. He was the more anxious to speak because he differed in some respects from the views of the hon. Member who had just spoken. However, his health just then was not such as to encourage him to address the House, and he should not have done so had he not taken a real interest in the Bill, and did he not feel it to be an imperative duty to do all in his power to support it. He must begin by saying that he was surprised at the extreme and even dangerous importance which some attached to the enfranchisement, not of women, but of the comparatively few women who possessed the qualifications which entitled men to vote, and whose claims had not been voluntarily surrendered by marriage. Our common law looked upon husband and wife as one, and we might, therefore, set aside all married women, even those who enjoyed the income of property settled on themselves without the intervention of trustees. If we did so, and also eliminated all women except unmarried householders and lodgers qualified as males were required to be, and took the remainder only, the number of female voters placed on the list, according to the best information he could obtain, would not equal one-fifth of the number of voters added by the last Reform Bill. The peril of this addition, if there were any, was still further diminished by the fact that women were not turbulent, corrupt, and revolutionary like men, and that any changes their influence might introduce would be of the mildest and most beneficent character. He was astonished, therefore, when he heard the right hon. Gentleman (Mr. Bouverie) on whose Motion the Bill was thrown out last Session, speak of it as a measure which ought not to be carried without an appeal to the country, and a Dissolution of Parliament. If the passing of this Bill were to involve a Dissolution, we might as well have one about the encroachments on the Thames Embankment. The enfranchisement of some myriads of women would no more affect the nation at large than those encroachments, and if they chose to call that enfranchisement and encroachment it was at all events a beneficial one, while those others were mischievous. Another futile objection which he had heard in the last year's debate was that women could not be admitted to the suffrage without conceding to them also a seat in Parliament It was a sufficient answer to that objection that the clergy possessed the suffrage but could not sit in Parliament, and had never agitated for the privilege. A more absurd objection still was that the enfranchisement of a small minority of women would alter the character of the whole sex, who would invade the occupations, habits, and lines of thought which formed the peculiar domain of man, and sweeping like a torrent, as it were, *per fas atqur nefas* obliterate the boundaries which Nature herself had set up between the sexes. Were it not for the extreme respect in which he held a candid opponent, he should catch himself inwardly exclaiming—

> "The force of folly could no further go."

If he wished to know what change admission to the suffrage would make in women, we could not do better than consider what it made in men. He did not deny the advantage of enfranchisement, but he did not believe that it consisted in an immediate change of character. Was any man, he asked, the wiser, the merrier, the better, the worse (he would not say till the Ballot Bill passed, perhaps not even then), the richer, the poorer, for obtaining the right to vote? He should be curious to hear anyone explain the physiological or psychological changes which he had detected in himself after he had obtained the suffrage. Thousands were indifferent about the possession and use of their privilege as voters, and many women would be as indifferent, though more conscientious, perhaps, than many men, when they did vote. But it was unnecessary to argue that the electoral suffrage would make no change for the worse in woman's character, because there was a practical demonstration of the fact in that the municipal suffrage had been given to women, and the educational, without in the slightest degree detracting from the feminine softness of women, or disturbing their *rôle* in life's great drama as wives and mothers. Women meddled neither more nor less in politics than they did in the days of Margaret of Anjou, of Queen Elizabeth, or of those contests when a beautiful duchess canvassed for Charles James Fox. Some few high spirits entered the political arena then, as they might do now, but the vast majority contented themselves with elevating and depressing their eyebrows, as the Roman ladies did their thumbs, for or against the combatants; and so, he thought, things would remain. He dismissed the thought that any very portentous changes, political or social, would be effected by carrying the measure; but then the question arose, if the measure were likely to be so inoperative, why press it at all? The answer was that it completed the representation of property and of intelligence. The intelligent views of women were no more to be disregarded than those of men; and, as it was our constitutional theory that property ought to be represented, there was no reason why it should not be represented when it was in the hands of women who discharged the duties connected with it, and were, therefore, entitled to its privileges. In the next place, it was only just that women should have such a political status as to enable them to obtain an equal share of educational endowment, and other social advantages which were at present denied them. The hon. Member for Sheffield last year spoke of many women as being but "fair savages;" the reason was that the unfair savages, men, took the lion's share of education; and the same unfairness prevailed in other matters, and he agreed with Mr. Mill, when he said—

> "All that education and civilization are doing to efface the influences on character of the law of force, and replace them by those of justice, remains merely on the surface as long as the citadel of the enemy, (that is the unjust treatment of women) is not attacked."

Lastly it appeared to him that to imply the inferiority of women by withholding from them the suffrage was detrimental to their character, whether that inferiority be, or be not, wholly and absolutely true; and an illustration of this was to be found in the results of the policy of the Spaniards towards the Indians in America. He had lately read in the work of a distinguished French traveller, a passage which seemed to him to bear on this point. It was this—

> "The special code and ordinances sent out by the council of the Indies unintentionally, perhaps, but effectually, favoured the spread and perpetuation of the popular prejudices as to the real inferiority of the Indians, by speaking of them and providing for them as minors in all civil matters. Habituated for so long a period to contempt and pity, they have come to regard themselves as inferior beings, and their self-respect can never be restored except through a series of efforts as prolonged as those which have humbled them have been continuous."

For these reasons he supported this Bill, but he also thought there was a special reason why this country should be the first to adopt the enfranchisement of women. That reason was the immense influence which the example of England must exert upon the 200,000,000 of Asiatics in India, among whom, with a few brilliant exceptions, women had been degraded to a state little better than slavery. How could we expect that Indian women would be emancipated from the imprisonment of the zenanah, or be admitted to the full privileges of education, so long as we continued to proclaim the inferiority of women in this country? If for no other reason, he should support this measure as a blow dealt at the slavery of women in the East, and as a reply to the besotted demand of the Chinese Government that schools for female education should be dissolved.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Jacob Bright.*)

MR. BOUVERIE said, that in rising to move that the Bill be read a second time that day six months, he must begin by an apology for obtruding himself on their notice as leading the opposition to the measure; but he had abstained from giving notice of opposition almost up to the last hour in the hope that some other Member would come to the front. In fact, he was at all times unwilling to put himself forward in opposition to any matter which interested a great number of his fellow-countrymen and countrywomen; but the House would do him the justice to admit that he had always had the courage to avow his opinions on matters brought under the notice of the House— a merit not always conspicuous in Ministers or Members. The hon. Member for Manchester (Mr. Jacob Bright), who had been a comparatively short time in the House, had been pleased to speak personally of him; nor did he complain of that so long as what was said was true. He had never, that he was aware of, felt anything like "discomfort akin to shame" for anything he had done or said in that House; and as the hon. Gentleman did not seem to be aware of it, he (Mr. Bouverie) would inform him that he had invariably supported measures for the extension of the popular franchise. The hon. Gentleman then coupled his name with the names of some hon. Members who put themselves in opposition to their party upon the Reform Act of 1866. He thought it would have been better had the hon. Gentleman taken the trouble to ascertain what were the facts before he went out of his way to attack a Gentleman sitting on the same side of the House. If his hon. Friend had referred to the Division Lists, which were authorized records of the votes given in that House, he would have seen that he (Mr. Bouverie) had always given his vote in favour of the extension of the franchise; and that when he criticized the Bill of 1866, his suggestions were accepted by the Government. But his hon. Friend raised a question of a different kind by the Bill he had introduced, and had argued as if it were a mere compliment to the measure he had himself passed two years ago, contending that, in logic, the House of Commons was bound to confer the Parliamentary suffrage on women, because it had already entrusted them with the municipal franchise. For his own part, he (Mr. Bouverie) believed that that extension was made inadvertently, and almost by surprise; but, however that might be, he, for one, would be no party to any further extension of that measure. He must remind the House that the experience we had had of the measure on which his hon. Friend based his argument was not of a very satisfactory kind. One of the points he (Mr. Bouverie) insisted upon last year in his opposition to the measure admitting women to the franchise was, that mixing up women in contested elections would be to contaminate the sex—that sex which we were bound to keep in respect, and whose modesty and purity we were especially bound to hold in reverence. On that occasion he also urged upon the House that if we conferred the Parliamentary franchise on women we should not be able to protect those who were unwilling to take part in politics. Politics would be forced upon them—they would be driven to the poll whether they liked it or not—their lives would be made a burden to them during a contested election; and there was no woman who would not be assailed, bothered, annoyed, and persecuted to give her vote. Therefore, unless the great bulk of our countrywomen asked for the franchise—and it was well known that they did not ask for it—the House ought not to impose such a *damnosa hæreditas* upon them. The struggles of parties in political life stood on a very different footing from the minor affairs referred to by his hon. Friend. About a month ago there was a discussion in the Manchester Town Council as to whether that body should petition in favour of this Bill, and a majority agreed to do so. He would read, however, the statements made by two gentlemen who took part in this debate. Mr. Alderman Murray said—

> "With regard to the question before them, though he supported it last year, he felt bound to vote for the amendment on this occasion, and he would tell them why. At the last municipal election it was his duty to preside at one of the booths in Ardwick, and he must say that more unseemly sights took place on that occasion than he ever witnessed at any previous election, either municipal or Parliamentary. Women in a state of semi-drunkenness were hustled into publichouses by men in the same state; and he made up his mind then that before the Parliamentary franchise was extended to women they ought to have the Ballot."

Well, he (Mr. Bouverie) had always supported the Ballot as a means of protecting a man in the conscientious exercise of his franchise; but how could the Ballot prevent scenes of that kind? How could it prevent women from entering these publichouses, and affording the same unseemly spectacle? Again, Mr. Alderman Lamb was reported to have said that—

> "He would ask whether any gentleman present would like to see his wife, daughter, or sister taking part in the disgraceful scenes which were witnessed at the last municipal election. Staggering women, supported by staggering men—not their husbands—were seen going up to vote, both sexes boisterous and obscene in their language."

He thought, therefore, that the experience of the measure which gave the municipal franchise to women did not suggest the expediency of extending the principle. But this was altogether a much narrower view than that which he wished to press on the attention of the House. The real question was of a very wide description, indeed—perhaps no more serious question could be raised in Parliament than this. It was so serious, indeed, that he was astonished to hear his right hon. Friend (Mr. Gladstone) intimating that it was considered an open question for Members of the Government, on which they could vote as they pleased. To his mind the hon. Gentleman the Member for Manchester, by his proposal, raised in a practical shape a question which had been often raised before by philosophers in their closets—namely, "Why are half the human race excluded from political privileges?" No—this was not a new question; albeit it was a very portentous one; but his hon. Friend, in attempting to solve that question in the way he proposed, was in reality disturbing the whole foundations of society and obliterating the distinction of sex, and ignoring the functions of the sexes in society which have existed in all times and in every civilized community. This was not a new idea, nor a notion originating in this country. The issue now raised sprung up in a country which was fertile in strange notions and ideas—the United States of America—those States which were often extolled by his hon. Friend and those who acted with him as furnishing an example of everything wise and expedient in political life. Now, what had our practical kinsmen on the other side of the Atlantic done in reference to this question? Why, the Legislatures of several of the States, and even Congress itself, had repudiated the notion of woman suffrage, and the American women themselves had also repudiated it. Would the House allow him to read an extract from a letter of the New York correspondent of a daily newspaper in this country?—

> "I am afraid it must be confessed that the Woman Suffrage Movement in the United States is pretty well 'played out.' It has become unmistakably evident of late that the women of the country do not want the suffrage."

The same correspondent, after quoting the letter of a lady who exposed the unbusinesslike way in which women managed their societies in America, said—

> "I agree with this lady that it is not surprising that under this state of things the sensible women of the country have become disgusted with the agitators and with their agitation, and have exercised the influence which they have with their brothers and husbands to knock the whole thing on the head as soon as possible. In Illinois, the other day, 1,400 women of a single town petitioned not to be allowed to vote; in Massachusetts an amendment to the Constitution, allowing women to vote, has been rejected in the Legislature by a large majority at the request, as it appears, of the women themselves; in Minnesota a Women's Suffrage Bill, which had passed the Legislature, has been vetoed by the Governor, who says that he is satisfied the women of the State would be more annoyed than gratified by the suffrage; and in Utah, where the women have the suffrage, they refuse to go to the polls."

MR. HUNT asked whether it was proposed there to give the vote to married as well as to single women?

MR. BOUVERIE believed it was. Therefore he (Mr. Bouverie) said his hon. Friend's Bill really tended to obliterate the practical distinctions which the experience, the wisdom, and the habits of mankind in all ages had established. It had been said that the Bill was a very small affair, and that the House need not go further. But if we conceded electoral power to women, how could we refuse them a share in legislative power, in judicial power, in administrative power? All the great branches of political power—the legislative, the administrative, the judicial, and the electoral—must be equally conceded. This was a state of things which the House ought seriously to contemplate if it intended to pass the Bill. His hon. Friend, no doubt, would be prepared to go that length; but he felt sure such a view was not entertained by the great bulk of the women of England. His hon. Friend the Member for Manchester assumed to speak in the name of all the women of England; but, in fact, he spoke in the name of only a very few of them. The great bulk of the women of England had an instinctive distaste for political privileges, for they were aware of the evil which would ultimately ensue to their sex if they entered into competition with men in all the rough pursuits of life. Women are weaker than men, at all events physically. If they had to struggle in the world on equal terms with men, they must inevitably be oppressed. They were protected now by the habits and ideas of society generally from oppression. There was scarcely any man above 40 years old who was not identified in his happiness and interests in life with one woman—or with more than one woman. The happiness, the interests, the hopes of his wife and daughter, here and hereafter, were far dearer to the head of the family than his own. His interests and theirs were entirely wrapped up together; and he maintained that this was the real protection of women against oppression and injury, and not the electoral power which his hon. Friend proposed to secure to them by this Bill. To his mind, his hon.

Friend struck at the very foundation of society—namely, the family. Was the head of the family the man or the woman? Was the head of the family to be the master of the family or was he not? Was it nature's intention, and was it our Maker's intention, or was it not, that when society was founded on the family the man should be at the head of the family and should rule? Strange notions were spread abroad at the present day by those whose views his hon. Friend advocated in that House. The existing state of things was to come to an end. He was not speaking without book, but would quote some passages, of not inordinate length, to show that the persons who with great ability promoted the views advocated by his hon. Friend aimed their blows at the existing state of society, and at marriage in particular. These were socialist views, and he was glad to say they were not entertained by the great bulk of our countrymen and countrywomen. They were, however, entertained by philosophers and fanatics in ancient times, and they had been much written about during the last half-century; so that there was a large literature on the subject by many writers, and especially by French writers. He dared say his hon. Friend had not studied much of the literature on this subject. He, on the contrary, had; and he knew that the logical results of what his hon. Friend advocated were the socialist views of those who asserted that the existing foundations of society were altogether wrong, and that the laws of property and marriage ought to be entirely revised, they being at present an abuse of the rights and privileges of mankind. Marriage was represented by those writers as a state of intolerable bondage and slavery. He would quote a passage from a work by Mr. John Stuart Mill, a gentleman who was called by some a great philosopher, although in his judgment he was rather a courageous sophist than a philosopher. In his essay *On the Subjection of Women* Mr. Mill said—

> "The wife is the actual bond servant of her husband, no less, so far as legal obligation goes, than slaves commonly so called. She vows a life-long obedience to him at the altar, and is held to it all through her life by law."

That was the complaint. In another passage Mr. Mill said—

> "I am far from pretending that wives are in general no better treated than slaves; but no slave is a slave to the same lengths and in so full a sense of the word as a wife is."

Again, Mr. Mill said—

> "If married life were all that it might be expected to be, looking to the laws alone, society would be a hell upon earth."

And again—

> "The law of servitude in marriage is a monstrous contradiction to all the principles of the modern world, and to all the experience through which those principles have been slowly and painfully worked out. It is the sole case, now that negro slavery has been abolished, in which a human being in the plenitude of every faculty is delivered up to the tender mercies of another human being, in the hope, forsooth, that this other will use the power solely for the good of the person subjected to it. Marriage is the only actual bondage known to our law. There remain no legal slaves except the mistress of every house."

Was that a just representation of married life, and the relations between husband and wife among the great bulk of our countrymen and countrywomen? Mr. Mill was not even original in these views. In the year 1825 this subject was handled by Mr. W. Thompson, a gentleman of the same school of opinion as Mr. Owen, the Socialist, who gradually drifted into extraordinary notions, and held that there ought to be no morality, no laws, no property, and no marriage. Among Mr. Owen's chief apostles was this Mr. Thompson, who wrote a book entitled *An appeal of one-half the Human Race against the Pretensions of the other Half*. In this work he said—

> "Even under the present arrangements of society, founded as they all are on the basis of individual competition, nothing could be more easy than to put the rights of women, political and civil, on a perfect equality with those of men. It is only to abolish all prohibitory and exclusive laws statute, or what are called 'common,' the remnants of the barbarous customs of our ignorant ancestors, particularly the horrible and odious inequality and indissolubility of that disgrace of civilization—the present marriage code."

Again he said—

> "Woman is, then, compelled in marriage by the possession of superior strength on the part of men; by the want of knowledge, skill, and wealth; by the positive cruel, partial, and cowardly enactments of law; by the terrors of superstition; by the mockery of a pretended vow of obedience; and, to crown all, and as the result of all, by the force of an unrelenting, unreasoning, unfeeling, public opinion, to be the literal unequivocal slave of the man who may be styled her husband. . . . A domestic, a civil, a poli-

tical slave, in the plain, unsophisticated sense of the word, in no metaphorical sense, is every married woman."

It would thus be seen not only that Mr. Mill was a sophist in regard to this matter, but that he had not the advantage of being an original sophist. Such were the views on which were founded the operations of those persons outside the House who asked for an extension of the franchise to women owners of property. Another of the modern philosophers, Mr. M. D. Conway, said in a recent work entitled *The Earthward Pilgrimage*—

"That which is now called morality directly and deliberately stunts or even ruins the faculty of man, and on principle. This will appear to those who consider its standards of nobility, commercial success, Sabbath-keeping expediency; but beside the grave at Bournemouth" (the writer was here referring to the grave of Mary Woolstonecraft, one of the originators of this school). "I revert only to that point upon which our hereditary monastic morality is most stern and uncompromising—marriage. Nothing but superstition ever sacrifices human beings to institutions. The origin of the marriage superstition is Pagan. . . . Like every other superstition it is suicidal. Permitting the minimum of freedom in its regulation and duration, marriage finds the young already dreading it. . . . Formosa now excites sympathy, she will presently gain respect. When finally she shall deserve respect, when she also shows she can be faithful as lover and mother, the lock and bolt system will break down. Society will before long be glad enough to assimilate contracts between man and woman to contracts between partners in business."

He thought he had shown to the House by these extracts that there was a school who ardently supported the Member for Manchester's measure, but who aimed their shot higher than he, and made an attack upon the very foundations of society. There was a Book far more esteemed by our countrywomen, if not by our countrymen, than the writings of Mr. Mill, and it said—"Thy desire shall be to thy husband, and he shall rule over thee." Now they were told that all this was to come to an end, and that women were to engage in men's pursuits—to be politicians, to become Members of that House, and to take part in the administration of the country. His hon. Friend the Member for Cork (Mr. Maguire) had just written an entertaining book, in which he contemplated what would occur 30 years hence, and described a House of Commons, most of the members of which were women, the whips being two remarkably engaging and captivating young ladies. This was a condition of affairs to which he, for one, strongly objected, for he maintained that the pride and glory of woman were her modesty and her purity. Women could not be brought into contact with the rough occupations of men without defiling their modesty and purity. He did not know whether his hon. Friend the Member for Manchester was a classical scholar, and had read the Sixth Satire of Juvenal respecting the state to which society was reduced in Rome after the women there had been struggling for what they called their emancipation. He did not, of course, say that a similar state of things could be brought about in a civilized country in the present day; but, still, the tendency of human nature would be the same as it was in the time of Juvenal, and he believed that the great English divine of 200 years ago was right when he said that "fear and blushing were the girdle of virtue." In the polling-booths and in the House of Commons, in the market and in the Exchange, women, if they engaged in an equal struggle with men, must go to the wall. They were the weaker part of the human race, and in competition with men they must be worsted. Some of the greatest French writers had complained that in their country "the family" had almost disappeared from the lower strata of society; that the women had ceased to make a home—indeed, that there was no word for home in the French language. He would take the liberty of reading part of a letter which had been placed in his hands since he entered the House, and which was evidently written by an accomplished and educated lady. She wrote to him as follows:—

"I find that you purpose moving the rejection of the Women's Suffrage Bill when it comes on for its second reading to-morrow. As the upholders of this Bill have had their hands strengthened by the voices of a small number of very demonstrative women, it seems scarcely right that not a voice should be raised to aid you in urging the rejection of the measure. I consider myself to be in exactly the position which enables me to express opinions which may be regarded as a fair exponent of the feelings of my countrywomen on the subject. I am middle-aged, unmarried, and live in my own house, and under the new *régime* should be entitled to a borough and a county vote. I have a keen appreciation of politics, and am intensely interested in everything connected with the well-being of society; but I am strongly opposed to the extension of the franchise to women, not because I think they are not wise enough to use the privilege aright, but because they have other and more genial duties. I feel myself able to give an opinion on this subject, having an immense circle of acquaintances, including no inconsiderable number of single ladies, not one of whom has ever expressed the least desire to be endowed with the boon which Jacob Bright and its other advocates would have one to suppose was the blessing above all others to be desired. As a rule, unmarried Englishwomen are perfectly satisfied with the position and privileges which the Legislature confers. The noisy few will ever be heard above the quiet many, while the latter would almost rather be burdened with the weight and responsibilities of the franchise than make an effort to protest that they do not desire it."

That letter, he believed, succintly expressed the ideas of the great bulk of our educated countrywomen. He clung to the conviction he expressed last year, that if this so-called boon were given it would prove a curse to them, and, therefore, he entreated the House to support him in negativing the Motion of his hon. Friend.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bouverie.*)

Mr. SCOURFIELD said, he should not have recourse this year, as he did last, to the Previous Question, but should give his cordial support to the Amendment of the right hon. Gentleman the Member for Kilmarnock. Neither would he detain the House long, as all the ground had been travelled over by his right hon. Friend. If, indeed, the matter had been put as a question of the representation of property, and the mode of exercising the franchise had been by voting papers, he might, perhaps, have taken a different method of dealing with the question from that which he now intended, but as it was he should give his decided opposition to the present Bill. He was firmly convinced that the great mass of the women of this country did not desire to have this so-called privilege conferred upon them; and he did not see why, because a small set of demonstrative women persisted in setting up what they claimed as the rights of their sex, the House should force upon the more numerous and more retiring portion of the female community what they did not wish for, and would, if given to them, probably repudiate. One of the nuisances of the present day was the tyranny which was attempted to be exercised by societies who professed to represent the opinion of the country. No doubt everybody had a right to petition —no doubt everybody had a right to press their opinions upon others — no doubt they had a right to appoint a paid secretary—but they had no right to force upon their whole sex what only a very limited portion of them asked for or even understood what it meant. This giving to women was only putting in the thin end of the wedge — to use a popular phrase, as if anyone had ever heard of putting in the thick end. As a means of testing whether the women of England really wished for the power of voting, he would suggest — and commend the suggestion to the attention of the Chancellor of the Exchequer—that every person signing a Petition in favour of the extension of the franchise to women should be instructed to accompany the signature with a photographic portrait; and that Mr. Darwin, or Professor Owen, who could distinguish the sex of animals from very trifling signs, should be retained to decide from an examination of the pictures as to the sex of the person represented — for he could not help suspecting that many of the signataries were not women, but men in women's clothing. Until better evidence was produced to show that it was really the wish of the mass of women in England to have the proposed privilege conferred upon them, he certainly should do what he did last year—namely, record his decided opinion against the Bill.

Mr. GLADSTONE: Sir, as both the hon. Gentleman who moved the second reading of the Bill and the hon. Gentleman who moved the Amendment have referred to the position of the Government with regard to this question, I desire very briefly to explain to the House what that position really is. The Government, as a Government, abstain from taking any part whatever in this discussion—not upon the ground that their mind and time are overcharged with public business, but upon the more comprehensive and positive ground, that it is neither desirable nor advantageous that the Government should make a rule of interfering, as a Government, in the discussion of every measure at its earliest stages:—and for this plain reason—that we wish in this country that our legislation should be founded on mature and on free consideration of subjects by the public, and we believe that that consideration would be prejudiced by a too early announcement of the views and intentions of the Government on public questions; for a deliberate judgment would be much prejudiced by considerations of party which it is hardly possible to keep out of subjects of this sort after a deliberate expression of its opinion by the Executive Government. With a view to free consideration, it seems to me far more desirable—while we need not shrink from expressing our opinions—that we should leave to Members of our own party to take an independent course on this question—not because it is an unimportant question, but because our intervention as a body, is premature and inexpedient. Now, Sir, I am not prepared to vote with my hon. Friend (Mr. Jacob Bright) in favour of this Bill; and I may state the reasons which disincline me to take that course. But I must congratulate my hon. Friend on the ability with which he has stated his case. The presence of the hon. Member here—I might even say the tones of his voice—agreeably remind me of the absence of his distinguished Relative—I will not say that it consoles me for the loss we sustain; but, at least, if my right hon. Friend and late Colleague cannot be with us, I rejoice that the name of his family is so worthily represented in the House.

Now, Sir, my main reason for declining to vote for this Bill is that, although I do not think our present law perfect, I am unwilling to adopt, by the second reading of the Bill, the principle of a measure for its amendment until I have some better prospect than I have at the present moment as to the satisfactory nature of the particular Amendment proposed. Proceeding to state my view of the case, in the first place, I would set aside altogether—and I hope the House will take a similar course—the question whether the adoption of such a measure as this is likely to act in any given sense upon the fortunes of one political party or another. It would be what I may call a sin against first principles to permit ourselves to be influenced by any feeling we might entertain on such a point; and therefore into that part of the subject I will not for a moment undertake to inquire. When I look at the particular proposals of my hon. Friend I am encountered by the particular reasoning on which the opposition has been based. The Mover and Seconder of the Amendment opposed the Bill on the specific ground that they are opposed to these revolutionary changes in the relative positions of men and women. These they do not allege to be directly included in this Bill, but they say, and I admit with some semblance of truth, that the Bill savours of them more or less. I entirely agree with my right hon. Friend the Member for Kilmarnock (Mr. Bouverie), in his opposition to these revolutionary measures. But I must speak of Mr. Mill in terms of much greater and warmer respect than those the right hon. Gentleman has used. For the character of Mr. Mill I have a profound respect, and to his authority I should always be inclined to attach much weight; but from his reasoning on this subject I am compelled altogether and fundamentally to dissent. I am very sorry that Mr. Mill is not present as a Member of this House to propound and defend his views, because from the loftiness of his principles and from his admirable temper he is peculiarly fitted to purify the atmosphere of debate. The hon. Member who has brought forward the present measure has not openly proclaimed the views of Mr. Mill in reference to its subject-matter; the Bill, indeed, is somewhat remarkable in one point of view — namely, that it avoids any statement of the reasons for the change which it proposes to make in the law. It is usual to make some such statement in the Preamble of a Bill; but on the present occasion my hon. Friend has altogether dispensed with a Preamble, as though unwilling to commit himself to a limited purpose in the changes he wishes to bring about. With regard to the specific objections to the measure, I was well pleased with a portion of the speech of the hon. Member who seconded the Amendment (Mr. Scourfield). He based his objection on the direct operation of the measure as it stands, and I have no assurance from my hon. Friend the Member for Manchester of any disposition to modify the measure in Committee in any important respect. The great objection on which the hon. Gentleman based his opposition is the proposal which required the personal attendance of women to give their votes, and which would consequently involve them in the general proceedings of contested elections. That appears to me to be an objection of great force. It may be that when we adopt the principle of secret voting, we may ensure that tranquillity of elections which has been achieved in other countries. I remember to have been in Berlin on the day of a General Election, and to have been totally unable from any sign or note whatever in the streets, to discover the fact that the election was going on. We are told that the same tranquillity prevails on the day of election in Australia. Whether that state of things arises from secret voting or not, I hope we shall labour to attain tranquillity in election procedure. All the pomp and glory of elections in this country, which I am old enough to recollect, has now disappeared. I must say there was in it something of a national character. But while we have got rid of all that was attractive, we retain much that is dangerous and demoralizing. Speaking generally, however, I am inclined to say that the personal attendance and intervention of women in election proceedings, even apart from any suspicion of the wider objects of many of the promoters of the present movement, would be a practical evil not only of the gravest, but even of an intolerable character. I am not quite sure that my hon. Friend, in excluding married women from the operation of his Bill, has adopted a perfectly consistent course. It is clear that married women, if they possess the qualification, ought not to be excluded from any privilege conferred upon single women. The question with regard to the recognition of women's rights—I use the expression very largely without intending to express any opinion upon it—is, after all, a question of degree. The ancient law recognized the rights of women in the parish; I apprehend she could vote and act in parochial affairs. The modern law has extended the right to the municipality, so far as the right of voting is concerned, and I hope our municipal elections will receive some reform with regard to order and tranquillity; for we must admit that the intervention of women, under circumstances like those just described by my right hon. Friend (Mr. Bouverie), is a matter of regret. Coming down to the most recent date, I own my belief that my right hon. Friend the Vice President of the Council was right in the course he took last year, and that we have done wisely, on the whole, in giving both the franchise and the right of sitting on the school boards to women. Now we are asked to go further, and we have to consider whether the same principle that has been applied to parochial and municipal elections shall, or shall not be extended to Parliamentary elections also. Now, I may go so far as to admit that my hon. Friend has a presumptive case for advocating some change in the law; although, for my part, I will go no further until I know more of the nature of the change to be effected. With reference to the nature of that change, I am sorry my hon. Friend has not noticed the subject of the representation of the property of women at elections by their actual exercise of the franchise without requiring their personal attendance at the polling-booths. I will not give any positive opinion on that subject; but I have never heard any conclusive reason why we should not borrow a leaf from the law-books of Italy, where a woman is allowed to exercise the franchise if she is possessed of a qualification, subject to the condition that she shall only exercise it through a deputy, some friend, or relative specially chosen for the purpose. That may be found on examination to be a good or a bad plan; but it is one worthy of discussion. I admit, at any rate, that, as far as I am able to judge, there is more presumptive ground for change in the law than some of the opponents of the measure are disposed to own. I think my right hon. Friend the Member for Kilmarnock (Mr. Bouverie) perhaps fell into an error on this subject, which is very common in our discussions, I mean the error of making the social rules and considerations, which govern and determine the constitution of the upper class of society, the rules and considerations which should apply to all ranks. It is very easy to deal with this case as regards the upper class. I am disposed, without giving a positive opinion, to say that, so far as grievance is concerned, so far as practical mischief to be removed is concerned, with regard to the higher circles, to those who are familiarly called the "upper ten thousand," there is no case at all for entertaining a measure of this kind. There is not even a presumptive case. But when we look at the whole of society the case is different. In the first place, we are encountered by a great social fact. My right hon. Friend rests upon the old law of the human race, the law under which to the woman falls the domestic portion of duty, the care of the household, and to the man the procuring of subsistence. But that great world-wide and world-old fact is one which the Return of every Census shows to be undergoing serious modification. The number of absolutely dependent women is decreasing from year to year, while the number of self-depending women, especially in the great towns of the country, is rapidly increasing. My right hon. Friend speaks truly when he says that the head of the family is the person naturally charged with the interests of his unmarried daughters; but when we go downwards in the social scale we find that, almost as a matter of necessity—at any rate as a matter of practice—it now very frequently happens, especially in this vast Metropolis, that the cases arise where, when the girl approaches womanhood, it becomes almost a necessity for the father, under the limited conditions of his existence and his habitation, to say to his daughter that, irrespective of the lot of marriage, which is the normal or ordinary condition of woman, she must begin to think for herself, and set about providing for her subsistence. If it be true that there is a progressive increase in the number of self-dependent women, that is a very serious fact, because these women are assuming the burdens which belong to men; and I agree with the hon. Member for Manchester that, when they are called upon to assume those burdens, and to undertake the responsibility of providing for their own subsistence, they approach the task under greater difficulties than attach to their more powerful competitors in the battle of life.

Now, Sir, I cannot help thinking that, for some reason or other, there are various important particulars in which women obtain much less than justice under the social arrangements of our life. It is to me a matter of astonishment to observe in London the distribution of employment as between men and women. I scarcely ever see in the hands of a woman an employment that ought more naturally to be in the hands of a man; but I constantly see in the hands of a man employment which might be more beneficially and economically in the hands of a woman. I may be told that there is no direct connection between this and the Parliamentary franchise—and I admit it; but, at the same time, I am by no means sure that these inequalities may not have an indirect connection with a state of law in which the balance is generally cast too much against women and too much in favour of men. There is one instance which has been quoted, and I am not sure there is not something in it—I mean the case of farms. The not unnatural disposition of landowners is to see their farms in the hands of those who, sympathizing—as the English tenant is ordinarily and honourably disposed to do—with his landlord, can give effect to that sympathy by voting at the poll, and I believe to some extent in the competition for that particular employment, women suffer in a very definite manner in consequence of their disqualification to vote. I go somewhat further than this, and say that, so far as I am able to form an opinion of the general tone and colour of our law in these matters, where the peculiar relation of men and women are concerned, that law does less than justice to women. The right hon. Gentleman (Mr. Bouverie) has said truly that some enthusiasts or fanatics are set on modifying or subverting the law of marriage. I confess I am one of those who think that we struck a most serious blow at the law of marriage when we passed the Divorce Act; and I have never yet been able to satisfy my mind as to the reasons why, in framing and passing that Act, we chose to introduce into our legislation a new and gross inequality against women and in favour of men. The subject I am on the verge of is rather painful and not necessary to enter upon in detail; but I may say that in the whole of this chapter of legislation, especially where the irregular relations of men and women and their consequences are concerned, the English law does women much less than justice, and great mischief, misery, and scandal result from that state of things. I may be told that it is not to be supposed that women would in any circumstances, even if in a majority, exercise any preponderating influence on public affairs. They will not and they cannot. It seems to me a self-evident proposition, and does not weigh with me in reference to the course I should take with regard to this Bill. But the question whether it is possible to devise a method of enabling women to exercise a sensible influence without undertaking personal functions and without exposing themselves to personal obligations inconsistent with the fundamental principles of their condition as women, is a question which, in my opinion, is very worthy of consideration. Although, therefore, I am unable to give a vote for a Bill with respect to which there is no promise of modification, if we cannot adopt it in its present form, yet I am not sorry to think that some activity of thought in these busy days of ours is directing itself to the subject of the relations which actually exist between men and women in this country; and if it should hereafter be found possible to arrive at a safe and well-adjusted alteration of the law as to political power, the man who shall attain that object, and who shall see his purpose carried onward to its legitimate consequences in a more just arrangement of the provisions of other laws bearing upon the condition and welfare of women, will, in my opinion, be a real benefactor to his country.

LORD JOHN MANNERS said, he had not hitherto voted on this measure, because, while on the one hand unable to discover any logical reasons against it, he had on the other been restrained by that which was popularly called "sentiment," but which was an element that ought not to be shut out from view in considering questions of this kind. And he was prepared to admit that if there were any proof on the present occasion that the majority or any reasonable proportion of the women who would be affected by the Bill were hostile to the measure he should be glad to allow sentiment rather than reason to prevail, and withhold his support from the Bill; but on reference to the Parliamentary Papers he found that up to that morning no single Petition had been presented against the measure; while a considerable number had been presented in its favour. Therefore, he was bound to ask, what were the practical arguments against the measure, and having listened to the speeches of the Mover and Seconder of the Amendment, and of the Prime Minister, he was unable to perceive that there were any arguments possessing validity against the second reading of the Bill. The right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) took exception to the speech of the hon. Member who moved the second reading of the Bill on the ground that it was too narrow. He (Lord John Manners) confessed that if he were to find fault with the speech it would be in precisely the opposite direction; but the right hon. Gentleman himself could not be accused of narrowing the issue, for his speech was directed to almost every subject under the sun except the Bill the House was now called upon to discuss. He told the House with perfect truth that he had studied every branch of the subject, and produced most voluminous evidence that his statement was correct, with the single exception that he had not studied the Bill itself. He dilated upon the laws of marriage and of property, the state of affairs in America, and the writings of every philosophical writer on the question from Payne Knight to Mill, denouncing the theories of the latter; but he did not say one word to show that the female ratepayers of this country ought not to have the suffrage accorded to them. He could not tell from the speech of the right hon. Gentleman at the head of the Government whether he was in favour or against the measure. He thought, however, he might venture to say that, whatever might be the opinions of the right hon. Gentleman now, he would, before long, be numbered among the supporters of the measure. The principal objection which the right hon Gentleman appeared to take to this measure was that it had no Preamble, but he did not know that in these days that was a serious objection. He had himself passed a measure, while in office, that had no Preamble. Then the right hon. Gentleman had objected that there was nothing in this Bill to prevent the personal attendance of the female voters at the poll; but that objection if valid, might be equally urged against women voting at municipal elections, and elections for the school boards and local boards of health. The right hon Gentleman had suggested that by going to Italy we might borrow a mode by which we could surmount this difficulty; but he would suggest that the difficulty would be removed without travelling so far by resorting to the plan already in use in respect to the elections for the Universities, where voters were permitted to record their votes by deputy. But, whether it were advisable to adopt that plan or not, the subject was one pre-eminently for the decision of the House, when they got into Committee. What he contended was that, if the principle of enfranchising women ratepayers was sound in relation to other elections, it was equally sound in relation to the election of Members of Parliament. Did his right hon. Friend the Member for Kilmarnock (Mr. Bouverie) mean to contend that women had no interest in the subjects brought before that House? Were they not interested, for example, in the subject of education, or were they not interested, and did their interests not deserve to be represented in the Deceased Wife's Sister Bill—a measure which had so long been the shuttlecock of the two Houses of Parliament? His right hon. Friend appeared to say by his argument that women might be permitted to vote for such inferior bodies as Poor Law Guardians, Boards of Education, and Municipal Councils, but that they had no right to share in the election of so august a being as a Member of the House of Commons. Now, he (Lord John Manners) was prepared at all times to vindicate, if necessary, the rights and privileges of that House, but to assert that female ratepayers were not worthy to form a part of the constituencies of Members of Parliament was an arrogation of personal dignity and superiority which he was by no means able to support. Under all those circumstances, he confessed he was unable to see any reason why the female ratepayers should be any longer excluded from the exercise of the franchise at Parliamentary elections, and he should therefore give his support to the second reading of the Bill.

MR. BERESFORD HOPE thought that the right hon. Gentleman the Member for Kilmarnock in opposing the Bill gave the House an elaborate, but a very truthful, *exposé* of the policy of women's rights, in his Bill of indictment against the strong minded phalanx, for whom he personally had a great respect and no little fear. It was only the previous morning that he had received a speech from a lady belonging to that body, in which he was charged with comparing certain noble women to dancing dogs. He had a high respect for the virtues and the capacity of women, and he therefore looked upon a woman's tongue, sharpened by debates and journalism, as a very formidable weapon, and one that was highly dangerous to encounter. The speech of the Prime Minister was satisfactory to him in one point, for it showed that, however much his right hon. Friend's opinions might have changed with respect to other parts of the marriage law, his opinions in relation to the subject of divorce were exactly what they were 14 years ago. He (Mr. B. Hope) also fought by his side, as well as his noble Friend who had just spoken, in opposition to the Divorce Act of 1857. Recollecting these days, he listened with much interest for the arguments which his noble Friend should adduce. In supporting the measure of the hon. Member for Manchester (Mr. Jacob Bright), he was bound to traverse the able reasoning of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie); but he did nothing of the kind. He simply contended that because women were allowed to exercise the franchise at municipal and school board elections, they should be allowed to vote for Members of that House. This was assertion and not argument until the identity of the two cases was shown, and when that was done his noble Friend must, in consistency, range himself with the supporters of the Ballot. He was astonished to hear his noble Friend allege as any argument that no women had petitioned against the Bill. These words should have come from any mouth but his, for it was equally true that they had never petitioned against the Divorce Bill, although it was well known that the women of England were righteously opposed to the passing of that measure. He (Mr. B. Hope) honoured the women for not having done so, because that innate modesty which was the great attribute of the sex prevented them putting themselves forward on such occasions. Their not petitioning was, indeed, an argument against the change, for it proved that women shrank from thrusting themselves forward into the noisy turmoil of politics. No doubt women had sometimes petitioned Parliament—they had even crowded that Table with Petitions on a certain question which should have been the very last to attract their attention. So far from that fact being a reason for conferring this franchise upon women, as showing that they took a deep interest in the proceedings of the House, he thought that the disgusting appearance of the Petitions to which he alluded greatly strengthened the arguments of those who were conscientiously opposed to the principle contended for by the advocates of the present measure. He was opposed to the Bill, because he wished to protect women from being forced forward into the hurly-burly of party politics, and obliged to take part in all the disagreeable accompaniments of electioneering contests and their consequences. The right hon. Gentleman the First Minister of the Crown, referring to the upper ten thousand, said that they had not an appreciable shadow of grievance to complain of in this respect, whilst he observed that the class of self-dependent women was increasing very rapidly, and seemed to regard this fact as a reason for the change. The right hon. Gentleman, indeed, stated that he would not vote for the Bill of the hon. Member for Manchester; but his sibylline tones left the impression that there was such doubt lurking in his mind that in another Session he would be found in the ranks of those who were in favour of women's suffrage. The fact of the class of self-dependent women increasing so much was in his mind a reason for withholding the franchise from them. There were a few women who obtained a great influence in society by their genius and their capacity for work, and he honoured them for it. They had, however, as much power already in their way as the exercise of a vote for Members of that House could give them; but the great majority of the self-dependent class were persons who, by many sacrifices and ceaseless industry, just succeeded in realizing competence sufficient with great thrift to support them in a moderate and quiet way. The extension of the franchise to such women would not only disturb the peaceful character of their lives, but might seriously endanger that competence by forcing them into the arena of political excitement where they would be exposed to the animosities, the bickerings, and the resentments which are so unhappily inherent in the rough work of electioneering. Taking, then, this self-dependent class as they really were, and not as philosophers painted them, he thought that Parliament would do them a great wrong by exposing them to the temptations inseparable from the franchise, whether those who possessed it took an active part in politics, or refused to exercise the franchise which had been conferred on them. All who were familiar with contests knew that it was often as troublesome not to vote as to give a vote; and yet Parliament was asked to put the helpless female lodgers, seamstresses, and such persons, in this dilemma. The very nature of women called for sympathy and protection, and for the highest and most chivalrous treatment on the part of the men; but, instead of this being accorded for the future, it was now proposed to thrust them into a position which they were by their sex, by their condition in life, and by their previous training totally unqualified to grapple with. It would be said that the proposal was only to enfranchise unmarried women; but he was not a believer in such illogical finality. If this Bill were passed, did his right hon. and learned Friend behind him (Mr. Russell Gurney) believe that the distinction contemplated in it between married and unmarried women would long continue to be upheld? And, without going so far, why should not those ladies who were temporarily independent be invested with these privileges? There was, for instance—he would not mention any names—a lady who had recently been remarkable for an act of great daring, and who had subsequently escaped in consequence of admirable management—would it not be right that she should be invested with these privileges for some eight years or so? The lady in question was one whose ability had been proved, and her innocence decided in the face of the world. If this Bill should pass, and the number of emancipated women were found to produce no appreciable change in the quality of the representation in the House, then he would say that they had made a great disturbance to gain something very small indeed; but, on the other hand, if it were found to cause any serious alteration in the character of the representation, then, with all due respect to all the new constituencies, he believed that the alteration would be shown in the deterioration, and not in the improvement, of the quality of Parliament. On this head he desired to speak plainly. It was not a question whether the male or the female intellect were the superior one. He simply said that they were different, and that the difference made man more capable of direct government, and woman more fitted for private influence. There were in the world women of a manlike-mind—a Mrs. Somerville or a Miss Martineau, and there were now and then men of feminine softness; but he reasoned from the generality, and not from marked exceptions. Reason predominated in the man, emotion and sympathy in the woman, and if the female vote made any noticeable difference in the character of our constituencies, the risk would be that they would have in the House an excess of the emotional and sentimental element over the logical and reasoning faculty. Though emotion and sentiment were admirable qualities in their way, he maintained distinctly that reason ought to govern emotion, and not emotion govern reason. If, indeed, our existing constituencies were exclusively composed of bachelors and widowers, it might be argued that the reason was not sufficiently tempered by sentiment. But with the large bulk which they contain of family men, he felt quite satisfied that the womanly nature had quite as much play in making up the national mind as could be healthfully desired. The character of the legislation of a woman-chosen Parliament would be the increased importance which would be given to questions of a *quasi*-social or philanthropic character—viewed with regard to the supposed interests, or the partisan bias of special classes, rather than to broader considerations of the public weal—in excess of the great constitutional and international issues which the Legislature was empanelled to try. We should have more wars for an idea, or hasty alliances with scheming neighbours, more class cries, permissive legislation, domestic perplexities, and sentimental grievances. Our legislation would develop hysterical and spasmodic features, partaking more of the French and American system than re-producing the tradition of the English Parliament. On these grounds he should vote against the second reading of the Bill.

DR. LYON PLAYFAIR: Last year, when this Bill was before Parliament, I argued its subject-matter on the philosophical principles of right and wrong; but as the opponents of the measure will take no other grounds than those of sentiment, habit, or expediency, I think it would be wasting the time of the House to deal with it as an abstract question. I intend, therefore, to satisfy myself on the present occasion with merely answering those controversial objections which have been put forward in debate. The sum and substance of these are, that we are making a dangerous innovation on the social habits of the people; that we are, as the Prime Minister told us last Session — though his tone is very different to-day — up-rooting the landmarks of society. Well, that phrase has a fine extinct Tory roll in its sound, and when I saw it excavated by the Prime Minister from some old Tory quarry, where it had laid buried for so many years, I felt sure that a master of eloquence like the head of the Liberal party in this House must have been much perplexed how to answer a liberal proposal in a liberal spirit. I was, therefore, very confident that he would soon change his opinion, and his speech today has been a great encouragement to the promoters of the Bill. The simple argument in the whole question is this—The law deals with women as capable citizens, and taxes them for the support of the State. If sex be no ground for relieving them from the burdens of citizenship, sex can form no justification for refusing to them the rights of citizenship. Surely nothing is clearer than our constitutional maxim that Parliament derives its legal right of levying taxes because it is composed of representatives of the taxpayers, and yet we exclude from representation about one-sixth or one-seventh of the taxpayers of this country, simply on the ground of sex. No one contends that the intellect of an average woman is too low to perform the humblest duty of political life—that of giving a vote to a representative. The exclusion is simply defended on the ground of sex; otherwise, the most highly cultivated and virtuous woman would not be denied the right which the most ignorant and debased man possesses, provided he has the household qualifications. In logic there is no case for the opponents of this Bill, and so my right hon. Friend the Member for Kilmarnock rightly argues it as a question of expediency—"Women should not interfere with politics," is the favourite general phrase which satisfies my right hon. Friend and a large number of those who agree with him. Well, but what do they mean by politics? My right hon. Friend, when he uses this phrase, takes the very lowest and meanest definition of the term—the petty strife of political parties for power. If that constituted politics, I might agree with him, that women would not suffer much if they kept out of that heated atmosphere of contention. But the word "politics" means much more than that. It is the science of governing all the people of a State in a fair relation to each other, and in a manner conducive to their happiness, by giving them security for their property and security for their persons. But if that be the object of politics, is it fair to exclude from its study and participation more than one-half of the whole people simply because they were not born males? The voice of this House has admitted that this exclusion is not fair on two notable occasions. You have conferred on tax-paying women the municipal franchise, and you have admitted them to the educational franchise. You have done more —and you have acted fairly and wisely —you have conferred upon them administrative and legislative functions by enabling them to be elected as members of school boards. A few hon. Gentlemen thinks they have been mistaken in these concessions to women. That admission is a bad one, for if, uninfluenced by female constituents, this House has made such serious mistakes in regard to their sex, it will be better for them that their legitimate influence should be brought to bear upon us to legislate rightly in their interests. But the good sense of the whole House tell us that we have made no mistakes, and that the municipal and educational privileges which we have conferred upon women have been exercised worthily and usefully. In fact, the late school elections have demolished the whole objections brought forward last year by the right hon. Member for Kilmarnock. He told us that we must not expose women to the rough practices of elections, as they would be damaged by the contact. He raised women like a piece of fine porcelain on a high pedestal to be gazed at and admired, forgetting that the great mass of them are good sound earthenware, excellent for everyday use, and no more liable to be broken than the ordinary ware of which man is composed. Did my right hon. Friend assist at any of the school elections? If he did, or if he were present at any of the late municipal elections, he would have seen that his fears for female electors were altogether chimerical; and if the Bill introduced by the right hon. the Vice President of the Council in regard to future Parliamentary elections pass into law, there will be as little reason to apprehend difficulties in their case. He told us to-day of one or two female municipal electors who went to the poll drunk. That is merely to say that there are degraded women as well as men, and is no real argument against the measure. I admit that female electors would alter the tone of elections, but it will be by improving and softening the tone, just as their freer admission into the society of men has purified and elevated it, and lessened the drunken habits which our ancestors were not ashamed to indulge in, but which became incompatible with the freer intercourse of the two sexes in ordinary social relations. In a similar way of improvement, Parliamentary elections may be altered when women as well as men form part of the constituencies. The opponents of female suffrage profess to refuse it in the interests of women themselves. They say that their indirect influence on mankind is immense, and that it would be lessened if they had a direct and responsible influence on public affairs. No argument could be worse. An indirect and irresponsible influence is apt to degenerate into intrigue, and is never exerted in the best manner for the benefit of the public. I admit that women have an immense amount of indirect influence on political affairs. If anyone doubt it, let him look at the influence which they have lately exerted throughout the country in opposition to certain Acts which have outraged their feelings. I give no opinion as to whether this influence has been rightly or wrongly exercised; but I allude to it as a great political fact, which carries within it a most important lesson, in whatever aspect it is viewed. The Acts to which I have alluded were repugnant to a large body of women, and they have carried on an agitation against them with such influence and power that many seats in this House are rendered insecure unless their occupants are in harmony with this opposition. If the women who feel so keenly on this question are right, then it is clear that their views ought to have been more thoroughly represented in this House before we passed Acts which have affected them so deeply. If the women are wrong in their opposition, and have acted more from sentiment than from reason—more from sympathy with the fallen of their sex than from a just sense of what is politic in the regulation of an injurious traffic, the cause of their error lies with us, who, by excluding women from the consideration of public affairs, have prevented them from acting under a sense of responsibility, and of subordinating their feelings to the exigencies of public politics. In either case, this powerful agitation reads us a lesson which we may well lay to heart. It tells us that women have a powerful political influence, and the sooner that we bring it from an under-current to the surface, and subordinate it to a sense of responsibility, the better it will be for the State. You reply that women are not educated for the discharge of political privileges. Quite true, and mainly our fault. Neither were the great mass of electors upon whom you have lately conferred the suffrage. Yet responsibility in such matters is a rapid educator, and our uneducated electors put to shame the fears of them who did not wish to extend to them the privileges of citizenship. There seems to be a great alarm in the minds of hon. Gentlemen that our Bill is only the beginning of the end, and that the dreadful finality will be that honourable ladies, as well as honourable gentlemen, may, in time, sit together on the benches of this House. They tell us that the logic of the franchise involves the right of being a representative. I confess that I am not appalled by this distant contingency. I am not sure that at the present moment there is any disqualification for a female becoming a Parliamentary candidate; but if one attempted to assert her claim, just consider—even if you pass this Bill—how heavily handicapped she would be in the race; for the male voters would still be about 6-7ths, and the female voters only 1-7th of the registered electors. In the face of a heavy competition on the part of men, no woman is likely to start with such odds against her. My hon. Friends, in the lack of practical arguments against a limited practical Bill, try to connect it with abstract ideas of universal rights, which are not in discussion at all. They have no serious apprehension of this kind, and I am not going to discuss it seriously; though if I did, I would join them in resisting the admission of women into Parliament, not on the ground of mental, but of physical incapacities for the work. My right hon. Friend the Member for Kilmarnock has read us extracts from eccentric writers who object to marriage and other socialities, though he failed to connect them with any supporters of this movement. He might as well have adduced the wild ravings of Socialists and Red Republicans as an argument for refusing the extension of suffrage to males. Let us honestly admit that much of the opposition to granting political rights to women rests on the traditional ideas of her inferiority and subjection to man. She is not one-half of the *genus homo*, but a mere rib taken out of man, and always to be considered in relation to this rib theory of her existence. Her *raison d'etre* is to subserve man's interests in life, to minister to his passions, to promote his comforts. We have been favoured with various definitions in the debate of what woman is. The hon. Member for Pembroke (Mr. Scourfield) told us that "their vocation is a high one—their vocation is to make life endurable." Well, that is the traditional view of her existence. The hon. Gentleman is logical in refusing her relief from her humble functions though he has described them as lofty. He doubtless remembers that it was woman, not man, who first stretched out her hand to pluck an apple from the tree of knowledge, and knowing how she was punished for her aspirations for a more intellectual and higher existence, he thinks it well to keep her in a merely endurable one all the days of her life. Then the hon. Member for the University of Cambridge gives us a most charming definition of women—one more likely to be accepted by them than the "endurable" definition of the hon. Member for Pembroke. He told us that "their function is to guide, to influence, to moderate, to regulate, to suffer—not to govern." The definition is elegant and worthy of the graceful eloquence of the hon. Member; but if we convert his verbs into nouns, it is difficult to understand why guidance, influence, moderation, regulation, and endurance are not high qualities for Government. It is because we desire to see such qualities influencing political life that we wish to have them introduced into the representative system. The exclusion of women from the political system has taught the nation to underrate them publicly and socially. Women have had less than their share in education, in parental bequests, in lucrative employments; but notwithstanding this inferiority, they have all their share in rating and taxation. We wish political equality in order to obtain for her public and social equity. I began my remarks with a passage from the speech of the First Minister of the Crown, and I will end with a political axiom which he has illustrated by his eloquence. That axiom is, that to justify the denial of the franchise to any person, it is necessary to prove personal unfitness or public danger. In this debate, neither of these conditions have been justified. Personal unfitness to exercise the rights of citizens is incompatible with the imposition of the burdens of citizenship. Public danger can be little apprehended by the infusion of a higher morality into the affairs of public life. We therefore only demand the application of a political axiom, which is the foundation of a true representation of the people as distinguished from that of privileged classes. I would now have sat down, but that I have forgotten to allude to the attack made by the right hon. Gentleman the Member for Kilmarnock, on one of my distinguished constituents, Mr. John Stuart Mill. He quoted passages from his writings which simply referred to the inequality of law between the husband and wife, and he adduced them as proofs that he objected to the institution of marriage. I rather think that I am as well acquainted with the writings of that distinguished philosopher as my right hon. Friend, and I defy him to bring forward a single passage which fairly bears such a construction. But I could point to him a beautiful epitaph on the grave of an Englishwoman at Avignon. That epitaph expresses John Stuart Mill's opinions in regard to the wife who adorned his married life; and any man who has read these touching words will know in what veneration he held her character and that of her sex, and would blush to accuse that man of being an opponent to the sanctity of marriage.

Mr. JAMES: Mr. Speaker—Sir, I trust the House will permit me to state the reasons which will cause me to record a sincere and an earnest vote in opposition to the second reading of this Bill. As an opponent of this measure, I am not content to discuss the question in the spirit in which it has been dealt with by the First Minister of the Crown. I am not disposed to dwell upon the point whether the Bill is framed with or without a Preamble—neither is it my intention to regard the effect of this measure as being found within the four corners of the Bill. Strongly as I feel that the question should be dealt with in no technical spirit, yet, in passing, let me point out that, even under the very terms of this measure, every married woman who procures herself to be rated would be entitled to a vote equally with the unmarried. But it is our very duty to look to the future, and see the effect of this and every other Act which passes this House. Well, Sir, the natural consequences of this measure, to be gathered from its terms, and from the clearly expressed hope and intentions of its supporters, are that any woman, either married or single, may be returned to this House; to balance the Constitution they must be allowed to sit in the House of Lords—and I presume to occupy seats on the Episcopal Bench. A still further consequence would be that women must serve on juries, and perform all and every other of the duties of citizens. These being the direct results of this Bill, surely the opponents of it are entitled to stand on the defensive; to say that no precedent in the past, and no practice in the present, justifies it; and to demand from its supporters what are the grounds on which they seek to effect this most momentous change. May I not add that if these are the effects of such a Bill becoming law, surely the speech of the Prime Minister must have been heard with dissatisfaction by all, with sadness by many. To mix up the Ballot, a mere matter of procedure, with this great question of principle is frittering away this discussion, and is almost an insult to those who support the Ballot. I can assure the right hon. Gentleman that if it were believed that as soon as the Ballot became law all objection to women recording their votes would be removed, the number of the supporters of secret voting would be sensibly diminished. I trust I may without offence say that on listening to the arguments which the First Minister has used for the Bill, and to his announcement that he should vote against it, that it occurs to my mind that it is not alone the merits of this question that affect the right hon. Gentleman's judgment; and so regarding his speech, I would remind him that whilst we are told that "Fame has no present," it is equally true that "Popularity has no future." But, Sir, I must deal with the real open supporters of this Bill—and first I would refer to the argument that generally proceeds from hon. Members sitting on the opposite side of the House—namely, that property should be represented, and that women being holders of such property thereby obtain the right to vote. But those who use that argument overlook the causes which has led to the possession of property being regarded as a qualification for the franchise. The possession of property has been made a qualification because it has been held to indicate capacity and fitness for the franchise in the holder. If the property itself were the thing to be represented, why should not minors vote? Why, too, is the owner of 100 houses to be without a vote, whilst the occupier of one possesses the franchise? Certainly, with Members holding Liberal opinions—and they are the principle supporters of this Bill—this theory will find no favour. Another argument which is suggested is that anyone who is governed by the laws is entitled to take part in framing them. Such was the effect of a resolution, the exact words of which have escaped my memory, passed at a recent public meeting; and such, too, are the views of my hon. Friend the Member for Edinburgh University, who says that those who bear the burdens of the State should enjoy its rights. But what does this argument amount to? It is universal suffrage and something more, for children and lunatics bear the burdens of the State. It is, in fact, but a mistaken and erroneous expression of the idea that that State is best and most happily governed in which the largest number of citizens take a share in its government. But the soundness of that saying depends entirely upon the determination of the question whether the citizens so taking a share in their own government are fit and capable so to do. If I do not mis-read a discourse lately delivered by Mr. Mill, he is content to rest his advocacy for the enjoyment of the franchise by women on their fitness and capacity for its exercise. How can it be otherwise, for if it could be demonstrated that women had not this capacity, who would desire to see them on the electoral roll? For my own part, I would wish, and would be well content, to let the question be discussed on this one simple issue—Do women possess the fitness and capacity to fulfil the duties of the suffrage they claim? Now, I know how difficult it is to define what this fitness and capacity mean. I am well aware that in quickness of apprehension, in other powers, too, such as that of acquiring languages, women are equal, perhaps superior, to men. But if you ask me whether they possess an equal political capacity, I reply emphatically that they do not. The want of it proceeds from many causes, but principally from that excess of sympathy in the mental constitution of women which shuts out from their mind logical power and judicial impartiality. Let a woman range herself on one side of a question, or be identified with particular interests, and it is nigh to impossibility to persuade her that there is any error on the side she advocates, or any right in that she is opposed to. Happy, maybe, it is for us that this is so; the devotion and sympathy that men receive would doubtless often be withheld, if we were weighed in a balance too fairly held or tried by weights too strictly adjusted. That there are exceptions to this want of political capacity I freely admit; and often the error is made of pointing to those exceptions as if they fairly represented all women. Equally there are women to be found who are superior to men in physical strength; but I presume it would not be said that, as a rule, the greater strength of body lies with women. Perhaps, however, I am wrong in this, for I forget at this moment whether the supporters of this Bill do or do not admit the inferiority of woman's physical strength. I fancy there is a difference of opinion amongst them, and that there is a section which thinks that much depends upon training. But probably, on the whole, the majority of the House will agree that at present this comparative physical weakness does exist. Again, in relation to this political fitness, we must consider from what sources a woman's practical knowledge can be derived. My hon. Friend the Member for the University of Edinburgh (Dr. Lyon Playfair) says that the real object, and the very essence of politics, are the science of government. This may be the result of politics, but what are the practical subjects which form our politics? In this House we discuss matters connected with the Army and Navy, with commerce, diplomacy, and law. As society now exists, what practical knowledge can any woman have of these subjects? Are they to enter the Army and Navy, to take their seats in the counting-house, to receive diplomatic appointments, or to assume the wig and barrister's gown? As society now exists, women can have no direct knowledge of these subjects. Is it not evident that they must be guided by the second-hand information of others, and not from practical experience? It will, I doubt not, be answered that all these things will be altered, and that all this knowledge will come. But before this can be, not only must the character of our social life be altered, but still further changes must be effected; our hot blood must grow colder; the passions which are "wild and strong within us" must become tame and weak; and so our very nature must be changed. But dare we trust to political enactments thus to control nature? What father would send a daughter of 19 or 20 years of age into the world to herd with men, to fit her for political life, saying—"I know dangers will await her; but the hon. Member for Manchester says she has a political function to fulfil, and I must send her forth from my roof to fit her for that fulfilment?" A politician may think this, but no father will do it. The hon. Member for the University of Edinburgh has said we need not be afraid of giving the franchise to women, as only one-seventh of each constituency will be females. But ought we to add an element to the constituencies which, in any form or numbers, we shall have cause to fear? I object to think that we shall have to regard women as political opponents, whose power we permit only because they are weak in numbers. It is not in this spirit we hitherto have had to treat the female sex. I should scarcely dread this measure if it were only the influence of women I feared upon the constituencies. It is not their influence upon the State, but that of men upon them, we have most to regard. We are about to outrage the instincts of hon. Members opposite by passing the Ballot Bill, for the sole purpose, as many think, of controlling the undue influence of men towards each other; but if this measure becomes law, how will you check the influence of the priest in one island, of the clergyman in the other, and of the well-selected canvasser in both? Surely it cannot be expected that women, if enjoying the franchise, will give an unbiassed vote, the result of political conviction? Not depending on their own judgments, you are about to create a class upon which influence, which certainly will be undue, will ever be brought to bear. One other argument often used in support of this Bill I cannot refrain from noticing. It is said, and that saying is always applauded—"If the Sovereign who rules us is a woman, how can you refuse the right to vote to those who are of her sex?" Perhaps to those who use or applaud this argument it will be useless to point out that the negative political virtues are those which best become the holder of Royal power in a country governed by a mixed Monarchy. I also fear that there are many of the female supporters of this measure who scarcely appreciate any argument to be derived from the plain incidents of domestic life. But Her Majesty herself, in the simple annals of her own happy home, has been pleased to tell us that, to which I pray them to take good heed. We know that in her early life the Sovereign had been carefully taught to fulfil the duties of her high position. Wise statesmen had afforded her a political training; she, an Englishwoman, had learnt the history and shared the instincts of the English people; and yet, when it pleased her to take beneath her roof one of her own age, a stranger and a foreigner, happy was it for this country that she ever leant upon him for guidance, counsel, and support—simply because she was a woman and he a man. If I thought the majority of Englishwomen desired this measure to become law, I should hesitate before I combatted their wishes; but I say emphatically they do not. Let hon. Members judge by their own experiences, and say whether I am not right. A few restless itinerant ladies—my Lady A here, Miss B there—pass from town to town, delivering their often-repeated and well learnt speeches. But what support do they receive from those they address? I have carefully perused the periodical which advocates the cause of women's suffrage, and I never find that any woman, except these well-seasoned lecturers, rises to take part in these political displays. Following a woman's nature, the audience remains silent; this silence is regarded as acquiescence, and a triumph in favour of woman's suffrage is immediately claimed. Long, Sir, as I have trespassed upon the House, I feel that still stronger arguments than any I have used remain yet unsaid. But hon. Members need not be alarmed; I am not about to detain them, for those are arguments which in public assembly the tongue is not prone to utter. But, Sir, they will be felt and appreciated by every man who, on this day, will let his memory travel back to the time when at the knee of his first instructress he received his earliest lessons, in language not always logical, sometimes not even accurate; but yet they were the lessons which formed his impulses—almost his very instincts of good, for they were the precepts which fell from a mother's lips. Still more strongly will these arguments be recognized by those who, in later life, have felt the influences, and known the succour and support, which spring from the sympathy of a true woman's love; and, Sir, so sure am I that a vast majority of such men there will be, alike within this House and Realm, that I cannot believe that either now, or ever, we shall attempt by legislation to alter that position which nature has ordained, which ages have ratified, and which women have accepted as their true and best condition in life.

MR. HUNT: I cannot but compliment the hon. and learned Gentleman who had just sat down (Mr. James) on the force and eloquence which characterized his argument. I have not heard any arguments against the Bill before to day; but I do not think those of the hon. and learned Gentleman altogether unanswerable. The right hon. Gentleman (Mr. Bouverie) who has moved the Amendment appears to think that this Bill is of the same kind as that withdrawn at Massachusetts, and which did not receive popular support in Utah; because the arguments he used were such as might be brought against a Bill proposing to revolutionize in this country the relations between the sexes, and to give to married women the same power of voting as their husbands. But the Bill proposes nothing of the kind. What it does propose is, that any woman who is placed in the position which gives a man a vote shall be entitled to exercise the franchise. It does not propose to divide the vote in the case of man and wife, and therefore all the arguments of my right hon. Friend appear to me to be entirely out of place. Then he used what has been called "the hobgoblin argument." He said this was the first step towards socialism. If I thought that would be the effect of this measure, I should be very loth to give it my support. I confess I have always thought the female part of the population showed great reverence for law and order, and was more deeply imbued with religious feelings than the rest of the community, and I believe there could be no more certain means of checking the growth of socialism than by giving greater power to women. The right hon. Gentleman says he does not wish the female character to be contaminated by possessing and exercising the suffrage. But if the possession of the franchise tends to degrade the female character, we have already inflicted that degradation upon them by giving them the right to vote at municipal elections, and we must be considered to have degraded all those classes whom, in the years 1867 and 1868, we thrust into the suffrage. But to pass to the speech of the hon. and learned Gentleman who has just sat down (Mr. James) I understand he accepts the position of the hon. Member for Cambridge University (Mr. Beresford Hope) and says that if the female part of the community bear the same burdens as the male, and also pay rates, there is no reason—unless they are personally unfit—why they should not have a vote. He accepts the conditions, adding that the female is personally unfit. And here, I think, he takes too low a view of the female intellect. In the latter part of his speech, where he speaks of maternal love, and of love of another kind, he seemed to forget that he might attribute other qualities than those of the heart to women. He says they are led away by their sympathies and are incapable of calmly exercising their reason, and that the female mind can rarely follow a logical argument. But if we were to go into the question who is able to follow a logical argument, and to regard the possession of an illogical mind as a disqualification, I fear we should have perpetually to pass Bills of disfranchisement. A great many of those whose opinions we in this House represent could not, I am afraid, put their opinions in a logical shape, and few, I apprehend, follow a logical argument when we go to the hustings and invariably vote from sympathy or feeling. He says that on politital subjects it is notorious that women are not capable of forming independent judgments. I want to know, is this not because they have not been entrusted with political power? The position of the hon. and learned Gentleman is quite untenable. All the objections against the Bill seem to spring from the customs of this country in regard to the education of women. We know that in some countries so low is the opinion of the female sex that they are shut up with their families; while in other countries, and I fear in some parts of our own, they are treated as beasts of burden. The mental habits of women, as in the case of men, must depend on their training; and I believe no greater impetus could be given—in favour of the education of women—than by entrusting them with political power. The hon. and learned Gentleman says they are unacquainted with subjects such as the Army and Navy, and other subjects upon which women in this country are supposed to have no opinions. But is not this House concerned in a great many social questions on which the opinions of women might be most usefully brought to bear? Does not Parliament concern itself with the good management of hospitals and poor-houses, and are not women admirably qualified to deal with such subjects as these? There are many questions as to which it is impossible that both sexes can have an equally clear insight. Some questions have come before this House, notably of late years, in regard to which it would be impossible for men to understand the feelings of the other sex. There is the question which was alluded to by the hon. Member for Cambridge University—the question of the Contagious Diseases Act. Who could say that men are capable of entering into the feelings of women on this question? It has been said that women were going about in an itinerant manner, lecturing in support of their own views. But I say, in any case, they have a right to their opinions. But why do they go about? It is because they have no legitimate mode of enforcing their opinions, and, therefore, they are compelled to resort to itineracy as the only means open to them. Supposing that this Bill were passed, and that female ratepayers were allowed to give their votes in the election of Members of Parliament, I believe that the itinerant agitation, which has lately made itself prominent, would subside. Then with regard to another question which has frequently of late years been before the House—that of altering the marriage law—is not that a question in which women are entitled to take an active part? Is the opinion of women of no value upon that? During the present and in other Sessions this House has passed a Bill containing an alteration of the marriage law which I believe to be repugnant to 99 out of every 100 women in the country. And I ask again, is not this a question upon which they have a right to be heard. Can we assume to ourselves the right to alter the whole state of the marriage law, while more than half the population of the country are regarded as having no voice in the matter? I have never before recorded my vote in favour of this measure, and lately I have not voted at all upon the question, because when changes occur in one's opinions one does not like to commit oneself to such changes on a sudden, or without mature deliberation; but having considered the matter maturely, I have come to the conclusion that it is no longer right to refuse to accede to the principles contained in the Bill now under discussion. It is not often that measures coming from that quarter of the House receive my support, but this particular measure commends itself to my reason. I believe that the feeling against granting the franchise to women is the result of old prejudice and not of reason; and therefore I shall with great pleasure support the second reading of this Bill.

MR. NEWDEGATE said, that in common with many other hon. Members of the House, he had been gratified by hearing the able and eloquent speech of the hon. and learned Member who had just sat down (Mr. James). He rejoiced in it the more on account of the manliness with which the hon. and learned Member, whilst acknowledging the ties of party, lamented the want of force in the speech of the right hon. Gentleman the First Minister of the Crown; but if hon. Members on the Government side of the House, who acknowledged the bonds of party, had some reason to complain that their leader did not repeat emphatically the sentiments to which he gave expression last Session, in these words—

> "I must say I cannot recognize a necessity or desire for this measure, which would justify such an unsettling, not to say uprooting, of the old landmarks of society."—[3 *Hansard*, cci. 620.]

If, he repeated, hon. Gentleman opposite, while acknowledging party obligations, lamented that those words were not repeated, or the equivalent of these strong words by their Leader, what must be the feelings of hon. Gentlemen on this side of the House, who, in like manner, acknowledged the obligations of party? Had not they much more reason to be dissatisfied when they heard the ex-Chancellor of the Exchequer, of a Ministry who professed Conservative opinions, adopting this ultra-radical measure? He regretted extremely that the House was not fuller when his right hon. Friend, as he hoped he would allow him to call him, the Member for Kilmarnock (Mr. Bouverie) spoke in opposition to this Bill. The right hon. Gentleman was true to all the best traditions of his party. He was an old Whig and something more; and he remembered that at the close of the last century and at the commencement of the present century, during the Long War, the Whig party became involved by their acceptance of the Encyclopædist opinions, which were then prevalent in France; and he remembered their long and just exclusion from office, and that, at last, they wisely receded from those dangerous opinions, as did that great Sovereign, Frederick of Prussia. Acquainted, therefore, as he was, with the history and the traditions of his party, the right hon. Gentleman was perhaps one of the most competent, as well as safest witnesses, who could warn this House against the consequences of accepting this dangerous measure, for he fully agreed with the right hon. Gentleman the Prime Minister, in what he said last Session, when he declared that it tended to the uprooting of all the relations of society. The least that could be said was this—that if such a law were to be enacted, it would be established without reference to, if not in defiance of, the natural relations of society. He wished hon. Members had been there in greater numbers to have heard the speech of the right hon. Gentleman; and he would express a hope that a speech, which was no less worthy of perusal than it was worth hearing, might reach the country through the usual channels of communication. It appeared to him that the division which was about to be taken on that Bill would establish a clear distinction between those who were sound constitutional, and those who were unsound and unconstitutional reformers; between those who would effect changes in the constituencies, and therefore in the constitution of that House, and in the course of their legislation, consistent with the great traditions of the country—traditions which were reflected across the Atlantic, in the United States, and those who, disgusted with the popular privileges, to the concession of which they had been forced, now sought to degrade that Assembly, which had been elected by household suffrage. He did not say that lightly—he said it because he knew that this measure had been promoted out-of-doors by those who looked upon the state of this country with disgust, and were prepared to adopt any measure to force a change. Indeed, where could be found an expression of more intense disgust than was conveyed in the description given of England by Dr. Manning, when he deliberately described this country as the "*sentina gentium*," the cesspool of nations? Such was the expression which Dr. Manning thought fit, in 1864, to publish in a sermon. He should look with suspicion upon every vote given in favour of this Bill by those who were known to be Dr. Manning's followers, because he was convinced that such votes would be actuated not by the desire for any wholesale reform, but that they would be given consistently with the policy of the Ultramontane or Jesuit party, who held really free institutions to be so antagonistic to their objects and those of the Papacy, that any measure was justifiable for the purpose of uprooting them. What was the feeling in the United States with respect to this class of politicians? He was conversing with an American gentleman, and he asked him—"Are you prepared in the United States to adopt this proposal for female suffrage, which is now agitating this country?" "No," he replied; "I was a strong advocate for the enfranchisement of the coloured population; but as to this agitation for women's rights, which would shake the very foundations of society by disregarding the natural relations between the sexes—no!" said he, and he spoke, Sir, very plainly, "we are not such fools as to do that." The fact was that the whole history of this measure, and the whole process of reasoning upon which it was founded, are unworthy of and degrading to this House. What had the right hon. Gentleman the Member for North Northamptonshire (Mr. Hunt) said in answer to the formidable arguments of the hon. and learned Member for Taunton (Mr. James)? The hon. and learned Member for Taunton stated that the female population of this country had not been trained in those higher sciences, which were necessary to direct the legislation of this House; that they had not been trained in diplomacy; that they had not been trained in law; that they had not been trained in political economy. The right hon. Gentleman replied to that by saying, that there were some small municipal questions—question, perhaps, touching family business, for example—at most, small municipal questions, upon which women would be qualified to vote; and therefore the right hon. Gentleman, setting at naught the united opinion of the majority of the people of England—for he was certain that the majority of the English people were opposed to this measure—setting at naught, too, the deliberate verdict of the men of the United States, would confuse and confound the constituencies of this country by introducing an element which had been adopted nowhere unless in Italy. The right hon. Gentleman was not, that he was aware of, an advocate of the Ballot; and he was not aware either that he was an advocate for voting by delegation. Why, in the United States they had the Ballot, and yet the people of the United States had the common sense to resist this proposal. In Italy they had a different system of election; the people voted there by delegation, upon the same system that was adopted in Prussia; and he asked the right hon. Gentleman whether that was the principle which he would introduce into the electoral system of this country? If not, the objection of the United States was unanswered. He was unwilling to detain the House, but it did appear to him that the arguments which had been advanced in support of this measure were utterly futile. What was the argument used by the hon. Member for Penrhyn (Mr. Eastwick)? He said that because the Spaniards in South America oppressed the Indians, therefore the women of England ought to be enfranchised. Now, he would put it to the common sense of the House—was there any analogy between the position of the Indians in South America and that of women in England? Then the hon. Gentleman attempted this further argument in favour of this measure: he would have the House of Commons enfranchise the women of England. Why? Because he thought it would set a good example in Turkey and China. He had listened to the somewhat chemical analysis of the hon. Gentleman the Member for the University of Edinburgh; he seemed to him to adopt this kind of argument—That whereas there were the same chemical elements to be found in the composition of men and women, therefore it was plainly just that women should be enfranchised. There might be some differences, he could not help imagining he might have continued, in the physical construction of men and women, and then he could have told us that through some Darwinian process of development, these differences would eventually be obliterated. He would content himself with again thanking the right hon. Gentleman the Member for Kilmarnock for having so plainly traced the evil source of the mischievous principles from which this measure had sprung, and for having, as he has often done before, effectively defended the dignity of the House, for such, he trusted, would now be the result, from being betrayed by the extreme folly of adopting that gross exaggeration.

Mr. JACOB BRIGHT briefly replied. He stated that Arles Dufaure, who was then in London, was of opinion that the best remedy for the unstable condition of things in France, was to give women votes, and said that the one able speech made that day against the Bill, that of the hon. and learned Member for Taunton, could be demolished with the greatest possible ease, if the Rules of the House permitted him to produce some women—who were then listening to the debate—at the Bar to state their own case.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 151; Noes 220: Majority 69.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

AYES.

Amphlett, R. P.
Anderson, G.
Anstruther, Sir R.
Bagwell, J.
Bateson, Sir T.
Bazley, Sir T.
Beach, W. W. B.
Beaumont, S. A.
Beresford, Lt.-Col. M.
Birley, H.
Booth, Sir R. G.
Browne, G. E.
Callan, P.
Cameron, D.
Campbell, H.
Carter, Mr. Alderman
Cawley, C. E.
Chadwick, D.
Charley, W. T.
Cholmeley, Captain
Clifford, C. C.
Corry, rt. hon. H. T. L.
Cowen, J.
Cubitt, G.
Dalglish, R.
Damer, Capt. Dawson-
Davie, Sir H. R. F.
Dawson, R. P.
Dickinson, S. S.
Dickson, Major A. G.
Digby, K. T.
Dilke, Sir C. W.
Dimsdale, R.
Disraeli, rt. hon. B.
Dixon, G.
Dodds, J.
Downing, M‘C.
Eaton, H. W.
Elliot, G.
Ewing, A. O.
Ewing, H. E. C.
Fawcett, H.
Fitzmaurice, Lord E.
Fletcher, I.
Fordyce, W. D.
Forester, rt. hon. Gen.
Forster, C.
Fortescue, hon. D. F.
Fowler, R. N.
Gavin, Major
Gilpin, C.
Goldney, G.
Goldsmid, Sir F.
Gourley, E. T.
Graham, W.
Grant, Colonel hon. J.
Gray, Lieut.-Colonel
Gray, Sir J.
Grieve, J. J.
Grosvenor, Capt. R. W.
Grosvenor, hon. N.
Gurney, rt. hon. R.
Hadfield, G.
Hambro, C.
Hardy, J.
Harris, J. D.
Henderson, J.
Herbert, hon. A. E. W.
Herbert, H. A.
Hermon, E.
Heron, D. C.
Hesketh, Sir T. G.
Hill, A. S.
Hoare, Sir H. A.
Hodgkinson, G.
Hughes, T.
Hunt, rt. hon. G. W.
Illingworth, A.
Jenkinson, Sir G. S.
Johnston, W.
Jones, J.
King, hon. P. J. L.
Kinnaird, hon. A. F.
Knight, F. W.
Lancaster, J.
Langton, W. G.
Lawson, Sir W.
Lea, T.
Lewis, H.
Liddell, hon. H. G.
Lloyd, Sir T. D.
Lopes, Sir M.
Lowther, J.
Lush, Dr.
Lusk, A.
Macfie, R. A.
M‘Lagan, P.
M‘Laren, D.
Maguire, J. F.
Maitland, Sir A. C. R. G.
Manners, rt. hn. Lord J.
Mellor, T. W.
Melly, G.
Miller, J.
Mitchell, T. A.
Morgan, G. O.
Morrison, W.
Mundella, A. J.
Muntz, P. H.
Noel, hon. G. J.
Ogilvy, Sir J.
Palk, Sir L.
Peel, J.
Playfair, L.
Potter, T. B.
Powell, W.
Rathbone, W.
Reed, C.
Richard, H.
Robertson, D.
Round, J.
Rylands, P.
Salt, T.
Samuelson, B.
Sandon, Viscount
Sartoris, E. J.
Scott, Lord H. J. M. D.
Selwin - Ibbetson, Sir H. J.
Shaw, R.
Shaw, W.
Sherriff, A. C.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Smith, J. B.
Smith, W. H.
Stacpoole, W.
Stansfeld, rt. hon. J.
Straight, D.
Sykes, Colonel W. H.
Talbot, C. R. M.
Taylor, P. A.
Torrens, W. T. M‘C.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Wedderburn, Sir D.
West, H. W.
Wheelhouse, W. S. J.
White, J.
Whitworth, T.
Wingfield, Sir C.

TELLERS.

Bright, J. (Manchester)
Eastwick, E. B.

NOES.

Acland, T. D.
Adair, H. E.
Adam, W. P.
Adderley, rt. hon. Sir C.
Agar-Ellis, hon. L. G. F.
Allen, Major
Amcotts, Col. W. C.
Annesley, hon. Col. H.
Anson, hon. A H. A.
Arbuthnot, Major G.
Arkwright, R.
Armitstead, G.
Aytoun, R. S.
Backhouse, E.
Bagge, Sir W.
Baines, E.
Baker, R. B. W.
Barclay, A. C.
Baring, T.
Barrington, Viscount
Barttelot, Colonel
Beach, Sir M. H.
Beaumont, H. F.
Beaumont, W. B.
Bentinck, G. C.
Benyon, R.
Bingham, Lord
Blennerhassett, Sir R
Bourke, hon. R.
Bowring, E. A.
Brand, rt. hon. H.
Brassey, T.
Bright, R.
Brinckman, Captain
Bristowe, S. B.
Broadley, W. H. H.
Brooks, W. C.
Bruce, Lord C.
Bruce, rt. hon. H
Bruce, Sir H. H.
Bruen, H.
Burrell, Sir P.
Cartwright, F.
Cartwright, W. C.
Cave, right hon. S.
Cavendish, Lord F. C.
Cavendish, Lord G.
Cecil, Lord E. H. B. G.
Chambers, M.
Chaplin, H.
Cholmeley, Sir M.
Clay, J.
Clive, Col. hon. G. W.
Cogan, rt. hon. W. H. F.
Cole, Col. hon. H. A.
Conolly, T.
Cowper, hon. H. F.
Craufurd, E. H. J.
Crawford, R. W.
Crichton, Viscount
Croft, Sir H. G. D.
Cross, R. A.
Dalway, M. R.
Davenport, W. B.
Dease, E.
Dent, J. D.
Dowse, R.
Duff, R. W.
Duncombe, hon. Col.
Dundas, F.
Dyott, Colonel R.
Egerton, hon. A. F.
Egerton, Sir P. G.
Elcho, Lord
Elphinstone, Sir J. D. H.
Enfield, Viscount
Ennis, J. J.
Esmonde, Sir J.
Eykyn, R.
Fellowes, E.
Fitzwilliam, hn. C. W. W.
Forde, Colonel
Foster, W. H.
Fothergill, R.
Galway, Viscount
Gladstone, W. H.
Glyn, hon. G. G.
Goldsmid, J.

Gore, J. R. O.
Gore, W. R. O.
Gower, hon. E. F. L.
Greaves, E.
Grey, rt. hon. Sir G.
Grove, T. F.
Guest, A. E.
Hamilton, I. T.
Hamilton, Lord C.
Hamilton, Lord G.
Hamilton, Marquess of
Hardy, rt. hon. G.
Hardy, J. S.
Hartington, Marquess of
Headlam, rt. hon. T. E.
Henley, rt. hon. J. W.
Henley, Lord
Hervey, Lord A. H. C.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hodgson, K. D.
Holland, S.
Holms, J.
Hope, A. J. B. B.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hughes, W. B.
Hutton, J.
James, H.
Johnston, A.
Kavanagh, A. MacM.
Kay-Shuttleworth, U. J.
Kekewich, S. T.
Kingscote, Colonel
Knatchbull - Hugessen, E. H.
Laird, J.
Lawrence, Sir J. C.
Lawrence, W.
Learmonth, A.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Legh, W. J.
Lennox, Lord G. G.
Lewis, J. D.
Lindsay, hon. Col. C.
Loch, G.
Locke, J.
Lowther, W.
Lyttelton, hon. C. G.
Mackintosh, E. W.
M'Arthur, W.
M'Clure, T.
M'Mahon, P.
Marling, S. S.
Matthews, H.
Maxwell, W. H.
Milles, hon. G. W.
Mills, C. H.
Mitford, W. T.
Monk, C. J.
Morgan, C. O.
Mowbray, rt. hon. J. R.
Newdegate, C. N.
Newport, Viscount
Newry, Viscount
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Conor, D. M.
O'Conor Don, The
Onslow, G.
O'Reilly, M. W.
Palmer, J. H.
Palmer, Sir R.
Parker, Lt.-Col. W.
Patten, rt. hon. Col. W.
Pease, J. W.
Peel, A. W.
Pell, A.
Percy, Earl
Philips, R. N.
Phipps, C. P.
Pim, J.
Portman, hon. W. H. B.
Potter, E.
Raikes, H. C.
Ridley, M. W.
Rothschild, N. M. de
Royston, Viscount
Russell, A.
Sackville, S. G. S.
Salomons, Sir D.
Samuda, J. D'A.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Seymour, A.
Smith, A.
Smith, S. G.
Somerset, Lord H. R. C.
Stapleton, J.
Stone, W. H.
Strutt, hon. H.
Stuart, Colonel
Sturt, H. G.
Sykes, C.
Talbot, J. G.
Thynne, Lord H. F.
Tipping, W.
Tite, Sir W.
Tollemache, J.
Tollemache, hon. F. J.
Tracy, hon. C. R. D. Hanbury-
Turner, C.
Turnor, E.
Verner, E. W.
Verney, Sir H.
Walpole, hon. F.
Walsh, hon. A.
Walter, J.
Waterhouse, S.
Waters, G.
Weguelin, T. M.
Welby, W. E.
Whalley, G. H.
Wharton, J. L.
Whitbread, S.
Whitwell, J.
Williams, C. H.
Williamson, Sir H.
Wilmot, H.
Yarmouth, Earl of

TELLERS.

Bouverie, rt. hon. E. P.
Scourfield, J. H.

LOCAL LEGISLATION (IRELAND) BILL.

(*Mr. M'Mahon, Mr. Montague Chambers, Mr. Matthews.*)

[BILL 43.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Heron.*)

The Marquess of HARTINGTON, on the part of the Government, objected to the Bill being read a second time, on the ground that the subject of Private Bill legislation ought to be considered as a whole, and not merely as regarded one part of the United Kingdom. The Bill proposed to make certain alterations in regard to the Private Bill legislation of Ireland only; but that legislation as regarded England and Scotland required amendment. He expressed his regret that the hon. Member who had introduced the measure should not have thought it necessary, in moving the second reading of the measure, to offer any remarks in support of it.

Mr. HERON begged to be permitted, after the observations that had been made by the noble Lord the Chief Secretary for Ireland, to make a statement which would show the necessity that existed for some change being made as regarded the private business for Ireland. The present system was most expensive and inconvenient, and led to great delay. The expense and inconvenience attending Irish Private Bill legislation were most excessive. It was difficult to judge whether the delay or the expense inflicted most injury to the public interest. Thus the expenses connected with the passing a town improvement Bill for Sligo exceeded £14,000, which had to be paid from the rates—the expense of the Dublin Trunk Railway Bill in 1866 amounted to upwards of £54,000; while the attempt to pass the most simple private Irish Bill through the House involved an expenditure of from £2,000 to £5,000. The sound principle was that Imperial business should be transacted at the centre of government, and local business in the locality where it arose. There were this Session before Parliament between 30 and 40 Private Bills relating to Ireland, and the great delay, inconvenience, and expense attending their prosecution before Select Committees of the House would be much diminished if they were dealt with by Judges of the Superior Courts in Ireland. There were precedents for what was now proposed in the Improvement Act for Scotland, passed in 1862, which enacted that the sheriff of the county should conduct the local inquiry, draft the provisional order, and report to the House. The Act which transferred to the Judges the trial of election petitions was also another precedent in point. It might be said that this was part of a much larger question, and that a measure of that kind ought not to be limited to Ireland; but the experiment he advocated might be advantageously made where the evils of the present system pressed most severely. It was now impossible for any Irish country town to obtain power to regulate its fair or market without applying to Parliament for the purpose at an expense of at least £1,500; and the cost incurred by Irish railway companies in getting extension Bills passed was enormous.

Mr. WHALLEY strongly condemned the system of Private legislation generally, as not only ruinous to the promoters of Private Bills, but utterly incompatible with the efficient discharge of their more public duties by the Members of that House. A remedy for these abuses had been attempted as far back as 1852, but without effect. As an illustration of the costliness of the system, he mentioned the case of a Welsh railway of only 18 miles, the Parliamentary expenses of which amounted to £70,000.

Colonel WILSON PATTEN thought it was impossible at that hour to discuss that important question satisfactorily. He would therefore only state that when he held the office of Chief Secretary for Ireland, and since, he had directed his special attention to that subject, and he was bound to say he believed his noble Friend the present Chief Secretary for Ireland had taken a correct view of the difficulty of dealing with it. No doubt the expense of prosecuting Irish Private Bills was heavy; yet the instances just quoted were perfectly trifling compared with the outlay incurred by parties promoting Private Bills connected with distant parts of England and Scotland. The only proper way of handling that question was to treat it as a whole, and not to legislate upon it for Ireland alone. He had himself tried to work out a reform in the Private Bill legislation of that House, but he had failed; and the matter required a much more serious attention than it could receive at the close of that afternoon. If the House felt inclined to take up the subject and to deal with it as a whole, he would suggest that a Committee should be appointed to consider it. It would prejudice the question materially if they attempted to legislate for Ireland apart from the rest of the Empire, and he would advise the promoter of that Bill to withdraw it, in order that at a future time the subject might be treated in reference to the United Kingdom.

Mr. BAGWELL moved the Adjournment of the Debate.

Debate *adjourned* till *Wednesday* 14th June.

PRIVATE CHAPELS BILL—[Bill 112.]

(*Mr. Salt, Mr. Dimsdale, Mr. Morrison.*)

THIRD READING.

Order for Third Reading read.

Mr. SALT, in moving that the Bill be now read the third time, said, that he had introduced some amendments into it, to meet objections which had been made.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Salt.*)

Mr. BERESFORD HOPE said, that whilst he warmly approved of the first part of the measure, which enabled institutions having a corporate character and specific identity to be raised into the condition of *quasi*-parishes, with the worship suitable to their special conditions, he must add that he as decidedly disapproved of the latter part of it, and that as a protest against it, he was bound to move the rejection of the measure. He regretted that his hon. Friend had put this necessity upon him, as there was really no connection between the objectionable 4th clause and the remaining Bill. This latter part would allow any proprietor who had a difference with his clergyman and would be at the expense of building or providing a room to combine with a Bishop of partizan opinions to set up a rival parish church against the old authentic parish church. If this part of the Bill were passed it would seriously interfere with our parochial system, for the appeal to the Archbishop was very difficult to be worked, and as the concession of the licence to the chapel covered with it the offertory the old clergyman was liable to be starved out. Besides, if this provision became law, a timid Bishop would fancy that he ought in no case to refuse the permission. He moved that the Bill should be read a third time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day month."—(*Mr. Beresford Hope.*)

MR. MONK said, that he should not object to the Bill going to the other House, where it could be considered and amended.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

But it being now a quarter to Six of the clock—

Further Proceeding on Third Reading *adjourned* till *To-morrow.*

PENSIONS COMMUTATION ACTS BILL.

Resolution *reported;*

"That it is expedient to extend the provisions of the Pension Commutation Acts, 1869 and 1870, to certain Public Civil Officers, and to consolidate and amend the said Acts."

Resolution *agreed to:* — Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. BAXTER.

Bill *presented,* and read the first time. [Bill 122.]

TRUST FUNDS (INVESTMENTS) BILL.

On Motion of Mr. STEPHEN CAVE, Bill to remove doubts as to the power of Trustees to invest Trust Funds in Debenture Stocks, *ordered* to be brought in by Mr. STEPHEN CAVE, Mr. RUSSELL GURNEY, and Mr. CRAWFORD.

Bill *presented,* and read the first time. [Bill 123.]

SALMON FISHERIES (IRELAND) BILL.

On Motion of Mr. HERON, Bill to consolidate and amend the Laws relating to the Salmon and Inland Fisheries of Ireland, *ordered* to be brought in by Mr. HERON, Mr. HENRY HERBERT, and Mr. MITCHELL HENRY.

Bill *presented,* and read the first time. [Bill 121.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 4th May, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—Tancred's Charities* (91).

Second Reading—Bank Holidays (70).

Select Committee—Report—Incorporation of Trustees of the Presbyterian Church of Ireland, *now* Presbyterian Church (Ireland)* (41-87-89); Primitive Wesleyan Methodist Society of Ireland Regulation * (14-88).

Committee—Charters (Colleges) * (73-93).

Committee—Report—Protection of Life and Property in certain Parts of Ireland (77-94).

Report—Ecclesiastical Dilapidations * (81).

BANK HOLIDAYS BILL—(No. 70.)

(*The Marquess of Salisbury.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE MARQUESS OF SALISBURY, in moving that the Bill be now read the second time, said, that the object of the Bill was to make provision for rendering certain days bank holidays, and to enable bank holidays to be appointed by Royal Proclamation. The holidays provided by the schedule of the Bill were Easter Monday, Whit Monday, the first such week day of August in every year as is not a Saturday, and the 26th day of December, if a Monday. In order to meet the commercial necessities of these days, it was provided that all bills of exchange and promissory notes which fall due and payable on any such bank holiday shall be payable, and in case of non-payment may be noted and protested on the next following day. The Bill also provided that Her Majesty may by her Royal Proclamation appoint a special day to be observed as a bank holiday, either throughout England or in any part thereof, or in any county, city, borough, or district therein; and to alter by Order in Council any day appointed for a bank holiday. The question of holidays was generally left to be settled between employers and employed, and it was very easy for most employers who desired it, to give their men a holiday at a small pecuniary sacrifice to themselves; but that was impossible in the case of banks so long as the holders of bills of exchange and promissory notes had power to require payment on those days. In order to avoid bankruptcy it was necessary that banks should be kept open on those days, and thus the clerks could not have holidays on such occasions. He believed a feeling was generally growing that work in England was quite hard enough, and that additional holidays would not be unwelcome to those to whom they were given, nor unpopular with the general community. He did not, therefore, anticipate any opposition to the Bill; but its language might perhaps be susceptible of improvement in Committee.

Moved, "That the Bill be now read 2^a."—(*The Marquess of Salisbury.*)

VISCOUNT HALIFAX said, he approved the object of the Bill, but pointed out that bills falling due on Sundays or Christmas Day were at present payable on the preceding day; whereas the Bill proposed that those falling due on the additional holidays should be payable on the day following. It would be well to amend the Bill in Committee so as to make the two cases uniform.

THE DUKE OF RICHMOND agreed with the noble Viscount, and had given Notice of an Amendment in Committee to substitute "preceding day" for "following day."

LORD REDESDALE pointed out that when a holiday fell on a Monday, the words "next preceding day," proposed to be inserted in Committee, would make bills payable on a Sunday.

THE MARQUESS OF SALISBURY said, these were points for consideration in Committee, and they should receive his careful attention. In the meanwhile, he would communicate with the promoters of the Bill on the points of detail which had been raised.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL.

(*The Earl of Kimberley.*)

(NOS. 77-94.) COMMITTEE. REPORT.

House in Committee (according to Order); Bill *reported*, without Amendment.

LORD REDESDALE called attention to the fact that the inquiry on which this measure was founded had been conducted in the other House, while the Bill itself was brought forward in this House. Such a course of procedure was open to objection, especially as it had been said with justice that one reason why Bills were not initiated here so frequently as noble Lords desired was that Bills originating in this House were not always received with favour in the other House. Such disfavour was very likely to happen in the case of a Bill like this, which seriously restricted the liberty of the subject, and some good reason should be given why this measure was initiated in this House. He would suggest that the 1st of August, 1873, instead of the 1st of June, should be fixed as the date of its expiration, for a change of Ministry or a Dissolution might render its renewal difficult before the latter date.

EARL GRANVILLE ventured the other night, on an objection being offered to the introduction of the Bill, to remark that that objection was inconsistent with the complaints constantly made against Her Majesty's Government for not finding their Lordships occupation early in the Session, when the pressure of business was very light. So far as the House of Commons was concerned, there was already such a press of business before it that any additional business seemed very likely to bring things to a dead lock. As to the objection raised by the noble Marquess (the Marquess of Salisbury) against an inquiry in one House and the initiation of legislation in the other, this was a mere matter of convenience. He denied the assumption of his noble Friend (Lord Redesdale) that this House was to be considered friendly to and anxious to pass measures of coercion, or those restricting the liberty of the subject. Evidence to the contrary was furnished in Tuesday night's debate on the second reading, in the speeches of a noble Earl (Earl Russell) who was exceedingly jealous of the liberty of the subject, and of his noble Friend on the cross-benches (Earl Grey), who objected to the suspension of the Habeas Corpus Act. If, however, any such prejudice against Bills originating in this House existed, it was a reason for having the Westmeath Committee appointed by the other House; for, the object being to bring clearly before the public evidence already secured by the Government, it was desirable that it should be sifted by some representatives of the Irish people who were sure to exercise the greatest vigilance in such a matter. As a matter of practical convenience it had been thought desirable to take advantage of the present leisure of their Lordships to introduce the Bill here, and he did not anticipate that there would be any desire in the House of Commons to reject this Bill merely on the ground that it had been first brought forward here.

THE EARL OF LONGFORD said, he did not intend to propose any Amendment; but he would press on the Government the propriety of extending the area of the operation of the Bill, in deference to the opinions expressed on Tuesday night. He had somewhat of a personal interest in this, for he lived within the proscribed district, but near the boundary, and if called on to give assistance he might find offenders able to play at hide and seek with the law, by crossing over the boundary.

THE EARL OF KIMBERLEY said, that he was unable to accept the noble Earl's suggestion. The point had been maturely considered by the Government. The Riband conspiracy existing almost alone in Westmeath and adjoining baronies, it was thought better not to extend the Bill to other districts, which were sufficiently provided for by the Peace Preservation Act.

LORD ORANMORE AND BROWNE gave Notice that, as some noble Lords thought a Division should be taken on the point, he should on the third reading move an Amendment extending the area over which the measure was to operate.

THE EARL OF KIMBERLEY said, he had to propose a verbal Amendment in Clause 7 which would have the effect of making the meaning of the clause more clear; but before doing so he wished to notice the remark of the noble and learned Lord opposite (Lord Cairns) that the ordinary form of suspending the Habeas Corpus Act had not been adopted. The reason was that such a suspension in previous cases had only contemplated arrests for treason and treason-felony, as to which it was perfectly open to a magistrate to order the arrest, with or without warrant, of a suspected person; whereas the present Bill authorized the arrest of persons suspected of being members of the Riband Society or of being under the direction and influence of that conspiracy —an offence of a much less precise character. The Bill, in fact, gave an arbitrary power of arrest which could not be

defined by law. As to the criticism passed upon the wording of this 7th clause, it was rather a general direction to the Lord Lieutenant as to what was the mind and intention of Parliament, than a provision that was to be strictly construed.

Amendment *agreed to.*

THE EARL OF KIMBERLEY then stated that to meet the objection of the noble and learned Lord (Lord Cairns) as to the construction of the word "resides," he intended on the third reading to propose the addition of the words "or sojourns," which term was employed in the Peace Preservation Act. It was not meant that a person passing through the district should be liable to arrest, or that every passenger by the Midland Great Western Railway would come within the operation of the Bill. The noble and learned Lord had asked whether, as a suspected Ribandman residing in Westmeath might be arrested for complicity in an offence not committed within the district proclaimed, persons going into Westmeath were to be arrested only for a crime committed within the district. Now, the meaning of the clause was that a Westmeath Ribandman suspected of the commission of a crime in another county should be liable to arrest, but that persons residing in other localities, not tainted with Ribandism, should not be subject to arrest unless they came to Westmeath, and there committed an offence.

LORD CAIRNS feared that "sojourn" was as difficult to define as "reside." It would be going rather far to regard a single day's stay as a residence or sojourn, yet this appeared to be implied by the words "any person who, on the 1st of January last, or on any subsequent day, was a resident." It seemed to him, according to the noble Earl's explanation, that this clause was to be taken as in the nature of a private instruction to the Lord Lieutenant in order to show him on what principle he was to proceed. It seemed to him (Lord Cairns) that this mode of legislation was rather anomalous, although there might not be much harm in it.

THE EARL OF KIMBERLEY, in order to strengthen and make more clear the powers confided to the Lord Lieutenant, moved an Amendment which provided that any arrests made under the Bill should be deemed legal by any Courts, Judges, or magistrates.

Amendment *agreed to.*

THE EARL OF KIMBERLEY proposed an addition to Clause 1, subjecting the prisoners to such orders and regulations for their treatment, management, and maintenance as the Lord Lieutenant shall from time to time make. He explained that when the Habeas Corpus Act was first suspended, inconvenience arose from the absence of any power of treating the persons arrested as untried prisoners. This defect was remedied when the measure was renewed; but as some of the regulations for untried prisoners might be inapplicable the present Amendment was necessary.

Amendment *agreed to.*

LORD DUNSANY moved to add the following proviso at the end of Clause 9:—

("Provided nevertheless, that it shall be lawful for the Lord Lieutenant, if he think fit, to prohibit any prisoner committed under this Act from holding any communications, either by word of mouth or writing, with any other person not being in the service or employment of Her Majesty, or duly authorized to hold such communication.")

It was obviously necessary to prevent the chiefs of the conspiracy, while in prison, from continuing to direct its operations.

EARL GREY agreed that this was necessary, but urged that it would be sufficiently secure by denying a prisoner interviews with his family or friends, except in the presence of an official. It would not be fair to prevent a man, confined without proof of his guilt, from seeing his friends at all.

LORD DUNSANY reminded the noble Earl that these prisoners would not, like other unconvicted persons, require to see their solicitor in order to prepare for their trial. They would, moreover, be unconvicted by reason of their guilt, as but for their connection with Ribandism they might easily be convicted of murder or other offences. As to many of the conspirators, there was a moral, though not a legal, certainty of their guilt.

THE EARL OF KIMBERLEY said, he would accept the Amendment for the sake of clearness, though it might not be actually necessary. The discretion which it would vest in the Lord Lieutenant would only be exercised in extreme cases, and it was not desirable to leave the matter to the discretion of the visiting magistrates.

LORD ORANMORE AND BROWNE supported the Amendment, the Bill being avowedly an exceptional one called for by exceptional circumstances. What was desired was that the feeling of terror should be transferred from the peaceable and orderly to the conspirators, whose guilt, though it had not been capable of legal proof, might be notorious.

Amendment *agreed to;* proviso *added;* further Amendments made.

Bill to be read 3ª *To-morrow*, and to be *printed*, as amended. (No. 94.)

THE ROYAL MINT.

MOTION FOR A SELECT COMMITTEE.

LORD KINNAIRD: When I moved last Session for a Committee to inquire into the management of the Mint, I stated that a Commission had been appointed to examine into the manner in which foreign Mints were conducted. That Commission has since reported, and it is signed by Mr. Fremantle; but as his Report is founded mainly on the Reports of the other two Commissioners, Mr. Roberts, the chemist, and Mr. Napier, the engineer, I shall refer to those Reports, because, although the Report of the Deputy Master of the Mint contains many suggestions having a very plausible appearance when thoroughly examined and tested your Lordships will see that the adoption of those recommendations would be attended by very serious consequences, which all of us would deplore, especially that suggesting the setting up of new buildings for the Mint on the Thames Embankment, which, I believe I can show, are by no means required. When last year I spoke of the appointment of Mr. Roberts as chemist to the Mint, as partaking of the nature of "a job," I rather disparaged his capabilities as a chemist. I see no reason to retract the charge I then made; but I find he is now appointed assayer to the Mint, at an additional salary of £500 a-year. His very slight acquaintance with chemistry and metallurgy showed this; for, although that knowledge was acquired during a very short stay in the laboratory of Dr. Percy—whose chief assistant, Mr. Smith, instructed him, and who would have been the right man in the right place if he had been appointed to the office—Mr. Roberts' experience was not sufficient to justify his appointment to so important an office as chemist or assayer to the Mint. When last I drew attention to this subject the noble Marquess (the Marquess of Lansdowne), who was the mouthpiece of the Mint, stated that Mr. Roberts was a very eminent chemist, who had proved his capability by discovering a method of depriving brittle gold of its obnoxious properties. I was certainly very much surprised to hear that this gentleman had discovered a new method, and concluded he must be a Heaven-born genius; but, on inquiry, I found that this new system, for the discovery of which he claimed credit, was contained in the discovery made by Dr. Percy some years before, and published by him in the *Transactions of the British Association* in 1848, and in the *Philosophical Magazine*, in 1850. Plattner carried it out practically, about 1852, in Silesia; and in January, 1856, a long series of experiments upon it were carried out for the Chancellorsville Gold Mining Company. And the exact process said to be devised by Mr. Roberts, was patented by Mr. Miller, the very talented assayer of the Sydney Mint, in 1867. Now, I wonder it did not occur to Mr. Roberts to consult Mr. Miller as to how far he had carried this process into effect. He would have found, if he had done so, that Mr. Miller had carried out the invention only to a small extent, indeed his use of the system was confined to the extracting of the silver from the gold in Australia, because the profit arising from the sale of the silver was worth the expense of the process. The plan was never adopted for dealing with brittle gold. Possibly Mr. Roberts has found the process very effective in the laboratory; but we all know that while a process may be carried on very effectively in miniature, the same process, conducted on a large scale, will very often prove an utter failure. This is abundantly shown in dealing with sewage, for while a chemist in his laboratory can extract ammonia from it, the same process, conducted on a large scale, is quite unprofitable. I find, in the last Report made by Mr. Roberts, that he describes what he calls "the success" he has met with in adopting this method of treatment. He says there were 69,000 ozs of brittle gold; but it seems that only 300 ozs of this were treated by Mr. Roberts in accordance with his new plan; the rest was dealt with in the old fashion—that is, by re-melting. I have stated that 69,000 ozs of gold was brittle, and by this I mean that 69,000 ozs of brittle gold were returned to the Bank from the Mint because it was brittle. That, however, does not represent the whole of the gold which has been carelessly coined, because much of that is absorbed by what is called the "carrying-off" or "sliding-off" process. By this process, one part of brittle gold and three parts of good gold are combined, and in this way much of the good gold is rendered brittle and unfit for coining. The next point to which I shall refer is the loss, and to this your Lordships should pay particular attention. Mr. Roberts states that the loss arises from volatilization, in combination with copper or other more volatile metals. But this shows remarkable ignorance upon the part of Mr. Roberts, because anybody who knows anything of melting gold, knows it will not volatilize by the heat at which it is melted in the Mint. So impressed, however, was Mr. Roberts with this volatilization principle, that he goes to Rome, one of the smallest Mints in the world, for information on the subject, because he says this question of volatilization has received much attention there, and he tells us that—

> "The flues of the gold-melting furnaces have been placed in communication with condensing chambers of simple construction, the adoption of which has been attended with very satisfactory results."

He recommended that the same plan be adopted here; but the idea of the gold going up the chimney—the explanation given last year by the Chancellor of the Exchequer for the loss—was exploded long ago. The chimnies of the Brussels Mint, for instance, were examined, and no trace of gold was found in them. If there were any truth in the theory, it would be very profitable to pull down the chimnies of the Mint and examine the bricks, because, according to Mr. Roberts, we should find at least some part of the £15,000 that the Chancellor of the Exchequer and Mr. Roberts state has gone up them. The fact is, the heat is not sufficient to volatilize the gold; and if these very able gentlemen would learn that no single particle of gold could be legitimately lost in minting, then they would set about inquiring how this amount of gold disappears so mysteriously; and they would discover, if they went the right way to work, that it did not go up the chimney. Mr. Roberts's next recommendation is, that gas should be used for melting gold; but, as we all know that the use of a product of a mineral is more expensive than the use of the mineral itself, it does not require much technical knowledge to show that this would result in extravagance, rather than in economy. At Woolwich, near which place I am now residing, they have found the use of hydro-carbon vapours more efficient than coke. A point of this description requires very careful consideration. But the most important suggestion made by Mr. Roberts is the removal of the Mint to the Thames Embankment. I trust the other House of Parliament will not allow any building at all to be put up there, and, least of all, the Mint, because it would certainly be a perfect nuisance to the whole neighbourhood. We may guess what it would be, when I am told Mr. Roberts nearly suffocated many of the officers of the Mint, by trying his new process for dealing with brittle gold; and if the melting is to be done by gas, it will be necessary to put up a gasometer and gas furnaces, to secure a sufficient supply. Besides this, Mr. Roberts proposes to treat the sweep by Crookes's sodium amalgamation process, in the same way that it is treated in the gold mines—that is, by the use of mercury. The mercury unites with the gold, and when afterwards heated the mercury escapes. Imagine the noise of the Mint associated with a gasometer and the evolution of mercury fumes. Everyone knows that the effect of this would be to salivate people. Mr. Roberts also recommends that we should seriously consider the propriety of using clay muffles, as if this was a new idea; but they are already used in London, Sidney, and, as Mr. Napier states, in many other places. Indeed, had he studied his companion's Report he would have known this to be the fact, and that it was quite unnecessary to take the suggestion "into consideration." This shows how little he knows of the subject of which he treats. He also deals with the drying process, and says—

> "The use of sawdust is objectionable, as minute particles frequently adhere to the blanks, and materially interfere with the accuracy of the impression."

I do not believe he could really have found this to be the case; it is pure imagination. To overcome the supposed difficulty he recommended the use of closed vessels, heated externally, for drying. As regards blanching, the Deputy Master of the Mint says—

> "I have received, with much satisfaction, the expression of Mr. Roberts's opinion, that the process of blanching may, as far as gold coin is concerned, be discontinued without detriment to the appearance of the coin. It is this process which leads to the deterioration of standard found to exist in gold coin, which has been for some length of time in circulation, and in consequence of their Lordships' decision, that light gold coin shall for the future be received by the Mint for re-coinage, the question becomes at this moment one of peculiar importance."

Now, what is the plan proposed by Mr. Roberts, or rather the plan which he has adopted. As a matter of fact, his new process results in a less durable coin. I should have thought he would have known that gold and copper do not combine chemically, but mix mechanically, so that when the alloy is heated, the copper, possessing greater power of volumetic expansion, comes to the surface and soon wears off. The Deputy Master seemed to be in error in saying that the new process was not detrimental to the coin, for the bad appearance of the new gold coinage had become matter of notoriety through various letters which have been published in the newspapers. I will read one which appeared in *The Globe* on the 1st of February. The writer says—

> "I was glad to see in *The Globe* a few remarks on the newly coined St. George sovereigns. These coins, bearing a beautiful device, executed, I believe, by the great Pistrucchi, are the most disgraceful specimens of manufacture that ever proceeded from a modern Mint. Being at a banker's a few days since, and seeing on the counter a number of them of a very dusky ungolden hue, I asked what was the matter with them? The clerk replied that the bank had received them from the Mint in that state as all right, and he therefore supposed they were the results of new ideas, picked up by the Mint Commissioners on their Continental tour last year; but, he added, in the old days of the Moneyers such things would never have been issued."

And yet, my Lords, the Deputy Master of the Mint is so satisfied with Mr.

Roberts's great talent that his suggestions are adopted off hand. With regard to loss Mr. Roberts states, apparently to the satisfaction of the Deputy Master of the Mint, that—

> "The metallurgical treatment of the precious metals is attended with unavoidable loss. I propose, firstly, to consider the amount of this loss; and, secondly, the cause to which it is due. In the English Mint the amount of loss on gold-melting is considered to be 0·173 per mille, or one grain on the troy pound. The apparent loss on silver-melting, under the new arrangements of the melting-house, is two grains on the troy pound, or 0·346 per mille, much of the metal being recoverable from sweep. The officers of the English Mint consider that the loss on the gold coinage will, for the future, certainly not exceed £200 on a coinage of £1,000,000, or 0·2 per mille."

Speaking of the cause of loss, he says—

> "The loss which arises from melting gold may be caused by volatilization in combination with copper, or other more volatile metal."

But what has been the average loss during the last three years? It has been £464 per year, and yet Mr. Fremantle states that—

> "Careful inquiry has been made as to the loss by melting incurred in foreign Mints, the result of which tends to show that in all Mints considerable allowance is made for such loss, and the 'waste' shown to have existed of late years in the English Mint has not been excessive."

Mr. Roberts himself says the loss ought not to exceed 0·173 per mille; we know it has exceeded £464 a-year during the last three years; and Mr. Fremantle says this is not excessive. Now, the recommendation to remove the Mint to the Thames Embankment is accompanied by an estimate. The cost is put down at £80,000; but we all know what an estimate is, and taking the new machinery into account, we may safely say the cost would not be less than £150,000. So that it was not only proposed to create a nuisance on the Embankment, but to spend a large sum of money in the act. That the change is unnecessary can be clearly ascertained from a study of the present Mint, which is quite well adapted for all purposes; and as for Mr. Napier's proposal to introduce new machinery, though perfectly natural as coming from an engineer, the recommendation is equally out of place. Mr. Napier proposes a rolling machine instead of the "draw bench," which Mr. Fremantle acknowledges to be a perfect piece of machinery. Mr. Napier also suggests a machine for reducing the weight of heavy blanks, and supports his suggestion by saying that other Mints think the expense of employing from 200 to 300 men is warranted by the saving they effect in reducing the blanks. He proposes to have a machine which will file and weigh at the same time; but practical men who have no machine to sell say this kind of machine will not answer in every-day work, but that each operation should be performed by a separate machine, or, if one is out of order, both operations are stopped. It is true, machinery would be very useful for this purpose; but some time ago a Vote was obtained, during Mr. Graham's time, for this identical machine, although the money was never devoted to the purpose, and the reason will be found in a letter written by Mr. Graham on the 7th of June, 1860, in which he says—

> "I may be allowed to call to your recollection that a Parliamentary grant of £1,100 was obtained by the Mint in 1856 for the purchase of two automaton filing and adjusting machines, which it was proposed to have constructed by Messrs. D. Napier and Sons, the eminent engineers. No part of this grant has been appropriated."

Why not? Because he says—

> "A machine of a much more simple character was contrived by Mr. R. Pilcher, of the weighing room, and was constructed in the Mint with no assistance from without. Pilcher's adjusting machine has proved sufficiently effective, costs nothing for labour, and has now been in constant operation for two years. The cost of making a pair of machines such as we now possess is estimated at £60, a sum which was saved to the public by the mode in which the work was executed."

The machine, therefore, seems to be not only simple and effective, but cheap; unfortunately, however, it was destroyed by Mr. Graham's brother in a drunken fit, and now there is no such machine at work. I will now shortly refer to the Report of the Deputy Master of the Mint, who recommended, as I have said, the removal of the Mint to the Thames Embankment. To enable me to judge of the capabilities of the present Mint I have obtained a history of it, and find that it was specially designed by Smirke; and Messrs. Boulton and Watt, who had a Mint at Soho, sent competent men, thoroughly well acquainted with what was required for coinage, to advise as to the construction of the building, and the placing of the machinery when it was completed. No doubt the building was larger than is required; but part of it is let for £500 a-year. Why, then, cannot improvements be made in the present building? I am informed that a few alterations would make the present Mint one of the most compact in the world. It is no more inconvenient to the Bank of England—and they alone are concerned—to send to the Mint on Tower Hill than it would be to the Mint on the Thames Embankment. But there is another reason advanced in support of the removal. The Deputy Master complains, and with reason, that his time is taken up travelling between the Treasury and the Mint; and it would, no doubt, be convenient both for the Master and the Deputy Master to have the office at the West-end instead of the East-end of London. But is the Chancellor of the Exchequer to be always Master of the Mint? if so, I cannot conceive of a more objectionable arrangement. Either the Master or the Deputy Master should be a practical man, and not both amateurs, learning their business at the expense of the country. I trust the House of Commons will not allow the Thames Embankment to be built upon, or, at least, that it will not allow it to be defiled by such a nuisance as the Mint would be. There is yet another Report to which I should call attention. It is called the "First Annual Report of the Deputy Master of the Mint." It has been made up of extracts from various sources, among others, from Mr. Ansell's book on the Mint, which has been very largely quoted. Perhaps, if they had seen the third edition of the work, it would have been still more largely used. But there are statements in this Report which are absolutely fallacious. The Deputy Master states that the proposal to treat all sweep in the Mint, instead of selling it as heretofore, would be advantageous to the Mint, because it would enable the Department—

> "To substitute a real for a fictitious statement of 'waste,' the regulation of the public service not allowing the proceeds of the 'sweep,' when sold to the public, to be brought to account as a set-off against the gross amount of loss."

That, however, is totally inconsistent with the truth, because the sweep is accounted for in the Returns No. 30, 1870, moved for by myself. But I have a more serious charge to bring against the Master and Deputy Master of the Mint, such as I never expected public men would have laid themselves open to. This First Annual Report of the Deputy Master of the Mint, while it fails to give the Returns for which I moved, or to continue them, contains copies of the Return No. 262, 1869—a false Return, and apparently intended to support the statement made by the noble Marquess, that the silver coinage was a source of profit to the country. The other Returns show there was a dead loss of upwards of £5,000. Now, one or other of these Returns must be false. In proof of this, let us take the first item in each Return, which should be absolutely identical. In the first Return, signed by Mr. Graham, we read that the real cost or value of metal in 1860 was £222,981 1*s.* 6*d.*; the same item is put down in the Return, dated 1870, and signed C. W. Fremantle, as £141,112 7*s.* 11*d.* The first Return shows a loss on the silver coinage of that year of £4,577 14*s.* 6*d.*; the second makes this loss appear to be a profit of £77,290 19*s.* 1*d.* Now, which is it—a loss or a profit?

The Marquess of LANSDOWNE: May I ask from what you are reading?

Lord KINNAIRD: I am reading from the Return made by Mr. Graham on the 19th of April, 1869, and that by Mr. Fremantle on the 31st May, 1870, headed "An account of all gold, silver, and copper moneys of the Realm coined at the Mint, for each year from the 1st of January, 1859 to the 31st of December, 1868, &c." The second Return carries on the Return to the year 1869. The first Return is No. 157; the second is No. 262, and both are made to the order of the Secretary to the Treasury. The totals of the value of the silver coined agree perfectly; but the totals of the real cost, or value of metal, have all been changed. The Report further shows that £171,269 16*s.* 2*d.* was paid to the Exchequer as seigniorage, while the loss by re-coinage amounted to only £153,593 10*s.* 1*d.*, leaving a total profit of £17,676 6*s.* 1*d.* What has become of the difference between this profit and that in the amended Return? That profit during the years 1860 to 1868 amount to £1,011,668; but, in the year 1869, there was a loss of £58,655, so that the actual profit shown by Mr. Fremantle's Return is £935,013. What has become of it? Every year the House of Commons has been voting money to make good the losses on the mintage, and here is a profit of nearly £1,000,000 gone—no one knows where. In the face of the country, therefore, I say you are bound to institute an inquiry, if for no other purpose than to see how it came to pass that we have Returns presented to us showing results diametrically opposed to each other. These Returns have been submitted to the first bankers and accountants in the City and none of them could explain how these figures had been so perverted as to show results the exact opposite to each other. Here are the Returns; they can be examined by any noble Lord for himself and only two conclusions can be drawn from them, either that the latter Return has been falsified, or that the former was inaccurate, and that the profit was really made. If the former is the case the Return should be amended; if the latter, where is the profit? However the case may be as regards these Returns, it is quite clear that if the Master of the Mint and the Deputy Master understood their business such discrepancies would not have occurred. They appear to be ignorant of what goes on in the Mint if we may judge from the Deputy Master's Report, for the only persons he quotes are Mr. Roberts and Mr. Napier; and none of the officials of the Mint appear to have been examined. Whether it is they think they cannot trust them I do not know; but surely they would do wisely if before making an official Report they made up for their want of experience by consulting practical men. I am quite sure that Mr. Graham would not have made such a Report, nor would he have issued an obviously false Return. It is impossible to believe that these men whose want of experience is notorious could have suddenly detected an error in the Returns made during the last eight years; such a supposition is a slur upon Mr. Graham. Under all the circumstances, and upon the most liberal construction of what appears upon the face of the case, an inquiry would be most desirable, and I, therefore, beg to move the Resolution.

Moved, That a Select Committee be appointed to inquire into the past and present management of the Royal Mint, and to consider the last Report of the Deputy Master of the Mint, as well as that on European Mints; and how far it is expedient, considering the state of the public revenue, to incur the expense of £80,000 for new buildings for the Mint, although, as stated in the Report, these may be so constructed as to guard against loss of metal and diminish opportunities of peculation.—(*The Lord Kinnaird.*)

THE DUKE OF RICHMOND: I wish to make a few remarks on this subject, lest I and those who sit on this side of the House should be supposed to approve the course adopted by the noble Lord, who has not at all convinced me that there is any necessity for a Select Committee to inquire into the past and present management of the Royal Mint. The Report of the Deputy Master in 1870, which has been presented to both Houses of Parliament, is the best reason that could be given for the refusal of the Committee in question. That Report has been drawn up with the greatest care, and anyone who peruses it impartially can come to no other conclusion than that the Motion of the noble Lord is, to say the least, inopportune, and by no means necessary. I wish to protest against two or three remarks which have escaped the noble Lord—I hope inadvertently— towards the close of his speech. One of the reasons he alleged for the appointment of this Committee was that we might inquire into the Report which the noble Lord described to have been concocted by the Master and Deputy Master of the Mint. Everybody who knows those two gentlemen must be sensible that it is an insult to them to say that they have concocted a Report. Again, the noble Lord alleges that the moving of the Mint from Tower Hill to some place near the river was suggested by the authorities, not for the public benefit, but to suit the convenience of the Master and Deputy Master, who wished to have their offices at the West-end. Now, this is a motive which ought not be attributed to gentlemen holding such offices, unless it could be thoroughly substantiated. I do not wish to stand forward in support of any branch of Her Majesty's Government; but I cannot refrain from entering my protest against the charges which the noble Lord has made against the gentlemen in question.

THE MARQUESS OF LANSDOWNE: It has fallen to my lot on more than one occasion to address a few words to your Lordships on this subject, but I am conscious of having done so under some difficulty, inasmuch as I could not pretend to that technical knowledge which discussions respecting the currency and its coinage required in order to do them justice. On the other hand, in all these matters there are certain broad facts and conclusions which may be legitimately drawn from the facts, even by one who does not pretend to any technical or scientific knowledge, and those facts and conclusions I will now endeavour to state. Another difficulty under which I labour is that the noble Lord always begins by impugning the veracity of all the information placed within my reach, and therefore I am at a very great disadvantage in attempting to answer the noble Lord's allegations. It may simplify the explanation I have to give if I recapitulate one or two points in connection with the coinage to which I have already at different times made reference. As your Lordships are aware, anybody has a right to "import" gold to the Mint, and to obtain in return an equivalent weight of gold coins. That right, however, is but rarely exercised, because the public, as a rule, find it more convenient to go to the Bank and get gold or notes paid over the counter instead of waiting until the Mint has coined the gold they have presented. Your Lordships will perceive that there cannot possibly be any gain to the Mint on the coinage of gold, and therefore the object of the authorities is to make the loss which is inevitable as small as possible. The loss has varied at different times, but has been steadily declining until it now amounts only to about one part in 2,000, or, in other words, to 1*s*. in every £100. That loss is so small that any private firm would be glad to arrive at a similar result. There are a great number of different operations involved in converting gold into sovereigns, and in consequence of having sometimes to repeat these operations the loss is sometimes more and sometimes less. The proper way, however, is to take the result, not of one particular operation, but of the whole of the operations, in order to form a fair estimate of the way in which the Mint machinery does its work. Upon the silver coinage there is a gain. A sum amounting to £15,000 is annually voted in order to withdraw from circulation the defective silver coinage of the realm. But, on the other hand, as every coin having the nominal value of a shilling is, in reality, worth less, there is a corresponding gain. As to the complaint that that gain does not appear, the reason is that any sum received on this account as seigniorage is paid into the Exchequer at once, the Mint has nothing to do with it. There is a similar gain on the copper coinage, the penny being worth only about one-fourth of its value as copper. I now come to the Motion which the noble Lord has made, and I will take his points *seriatim*. In the first place, what can be the object of an inquiry into the past management of the Royal Mint? The very fact that Her Majesty's Government has determined upon the re-organization of the Mint, that they have revised the establishment, are improving its machinery, and propose to alter its site, that the late chief officer in charge of the Mint is dead and gone, and has been succeeded by another, all point to the conclusion that such an investigation would be mere *brutum fulmen*. Then as to an inquiry into the present management, surely it is entitled to a trial; it is on its probation. Since the present Deputy Master came into office there has been only one gold coinage, and I am in possession of information which enables me to say that the results are of a peculiarly satisfactory character. When these results are before the House the noble Lord can call attention to them if he should deem it necessary. With regard to the visit of the present Deputy Master to the Continental Mints, with which the noble Lord has found great fault, saying that it could not be justified, I cannot do better than read a passage of the Report, page 45, in justification of what has been done. Mr. Fremantle says—

> "In proposing to their Lordships that I should be authorized to visit the principal Mints of Europe, with a view of ascertaining what special arrangements in force abroad it might be advisable to introduce into the Mint in this country, I was in a great measure influenced by the opinion that the progress made of late years by the British Mint in the practical application of scientific knowledge to questions of Mint management had not kept pace with the advances which have been made by Mints abroad; and the information gained during the inspection undertaken in conformity with their Lordships' directions convinced me that that opinion was well founded. To many Continental Mints laboratories are attached, in which not only the business of assaying is conducted with its latest and most important improvements, but experiments are constantly in progress bearing upon other questions affecting

the interest or efficient management of the establishment."

I cannot but think that if those to whom the management of the Mint in this country is to be intrusted had taken it upon themselves to say that the mechanical appliances at their command were incapable of improvement, they would have been guilty of an unjustifiable neglect of duty in assuming without proof the superiority of their own instruments over those in use by all other nations. On the contrary, they are bound to try to find out what is good in foreign Mints, and to introduce any improvements they may discover into our own. And now I will say a few words as to the noble Lord's objections to the transfer of the site to the Embankment. In the first place, the noble Lord holds out the pleasant prospect that the people on the Embankment would be poisoned by the fumes which the Mint would exhale. Now, I have it upon the best authority that the presence of the Mint on the Embankment would not create any such nuisance. As to the existing site, anyone who has ever been at the Mint must have noticed that the buildings are very rambling, spreading over a space of about five acres. The sale of the site on Tower Hill would probably produce a sum large enough to defray the cost of the proposed site and of erecting a new Mint, and the noble Lord is therefore in error in supposing that the transfer would involve a heavy expense to the national Exchequer. The concluding words of the noble Lord's Motion were very objectionable. They were a gratuitous insult to a large class who have shown a great desire to maintain the integrity of their Department entirely above suspicion. With reference to the noble Lord's observations on the chemist of the Mint, I may state that Mr. Roberts was for many years assistant to the late Master, whose scientific attainments were beyond dispute, and that he is a pupil of Dr. Percy, whose reputation extends beyond this country. It will be time enough to complain of Mr. Roberts when he fails to do his duty as chemist to the Mint. I think I have now touched on the majority of the points to which the noble Lord has referred. On some points it is impossible for me to follow the noble Lord, who has quoted figures from a Return which I believe has not yet been laid before the House, but which, I have no doubt, will bear explanation. I can only express my great regret that the noble Lord should have thought it necessary to employ very strong language in criticizing the management of a Department which I believe will bear the fullest examination. Upon these grounds I will ask your Lordships not to agree to the noble Lord's Motion.

Lord KINNAIRD: The noble Marquess has said that the words of my Motion convey an imputation on the officers of the Mint; but those words to which he alludes were taken from the Deputy Master's Report, which says—

> "The distribution of Mint works over too large a space of ground necessarily involves much difficulty of supervision, and the employment of a considerable staff of officers and foremen; it increases also the labour of moving the metals under operation, and may afford opportunities of peculation which ought not to exist."

With respect to the noble Lord's remark as to the present buildings covering a large space, I beg to point out that these separate rooms were built designedly by able men, that each man should be responsible for his own department, and that in case of loss from coining or melting the loss should be traced. As regards the visit to Foreign Mints, I do not say that it was not desirable to some extent; but I venture to think more valuable information might have been obtained by a visit to Birmingham, where coining is carried on by contract. I see the Deputy Master of the Mint claims great credit for having spent only £500 on those inquiries, instead of the £2,000 taken in the Vote. No doubt the inquiry was curtailed by the war; but he omits to mention the £1,000 admitted by the noble Marquess to have been paid to Mr. Napier. I still maintain that Report to be a delusion, and that it should be inquired into; but, as I see there is little chance of succeeding in my Motion, I trust the noble Lord will make it his business to examine the Returns, because it is impossible to allow the statements I have made, and made advisedly, to remain unanswered in Parliament.

The Earl of AIRLIE observed, that the noble Lord had attacked in unmeasured terms public servants who had no opportunity of replying. Attacks of that kind, unsupported by evidence, were neither conducive to the efficiency of the public service nor to the credit of the House.

On Question? *Resolved* in the *Negative.*

TANCRED'S CHARITIES BILL [H.L.]

A Bill for confirming a Scheme of the Charity Commissioners for the several Charities founded by the Settlement and Will of Christopher Tancred, of Whixley in the county of York, esquire, deceased—Was *presented* by The Lord Privy Seal; read 1^{a}. (No. 91.)

House adjourned at half past Seven o'clock, 'till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 4th May, 1871.

MINUTES.]—Ways and Means—*considered in Committee—Resolution* [May 1] *reported.*

Public Bills—*Resolution reported—Ordered—First Reading*—Income Tax* [126].

Ordered—Sunday Observation Act Repeal, *debate adjourned.*

Ordered — First Reading — Postage* [124]; Burial Law Amendment* [125].

Second Reading—Lunatics (Scotland)* [117]; Debtors (Ireland)* [108]; Bankruptcy (Ireland) Amendment* [109].

Select Committee—Divorce* *nominated.*

Committee—Dogs* [114]—R.P.

Considered as amended—Bills of Exchange and Promissory Notes* [91]; Metropolitan Commons Supplemental* [62].

Third Reading—Lunacy Regulation (Ireland)* [102]; Metropolitan Poor Act (1867) Amendment* [119]; Private Chapels* [112], and *passed.*

INTOXICATING LIQUORS (LICENSING) BILL.—QUESTION.

Mr. BASS asked Mr. Attorney General, Whether the Intoxicating Liquors (Licensing) Bill, introduced by the Government of which he is the Law Officer, will affect contracts not yet complete for the purchase of leases of public houses for twenty-one years, while the Bill, in a large majority of cases, will affect such leases at the end of ten years?

The ATTORNEY GENERAL said, in reply, that the Question of his hon. Friend was a very wide one, and he must be permitted some latitude in replying to it. It was possible that in some cases contracts such as he described would be affected by some provisions of the Bill; but his hon. Friend would acknowledge that it was very difficult to give an opinion on the effect of an Act of Parliament upon a contract unless one had the precise terms of the contract before him. He begged to suggest to his hon. Friend that, if he experienced any difficulty as to the effect of the Bill upon a particular contract, there were means of obtaining a legal opinion on the subject.

INDIA—EUROPEAN TROOPS.

QUESTION.

Lord EUSTACE CECIL asked the Under Secretary of State for India, Whether he can give any information to the House of the extent to which, and the principles on which, the hill climates of India are being utilized for European Troops; and, if not, whether he will institute an inquiry in order to obtain such information?

Mr. GRANT DUFF: Sir, the best answer I can give to the noble Lord's Question will, I think, be to read an extract from a speech delivered by General Norman in the Legislative Council, who said, on the 24th of March, 1871—

> "The stations with least mortality in the plains were Muttra, where the deaths were only at the rate of $5\frac{1}{2}$ per 1,000; Shahjehanpore, $6\frac{1}{2}$; Seetapore, $7\frac{1}{2}$; Roorkee, $9\frac{1}{2}$; and Fort William, $12\frac{1}{2}$; as compared with the hundred per thousand of former days. Excluding small detachments, the deaths were highest at Jubbulpore, where they amounted to 40 per 1,000; Peshawur, 33 per 1,000; and Morar, 32 per 1,000. At the hill stations the deaths averaged 11 per 1,000; and at the Hill Convalescent Depôts, composed of men who had suffered from sickness, $22\frac{1}{2}$ per 1,000. The Government is fully sensible of the advantage of having troops in the hills, and two admirable hill stations are being pushed on to completion—those of Chukrata and Raneekhet; but it is not intended to give up important strategic points, or to remove men from good barracks in healthy stations in the plains, though even from these convalescents and working parties may go to the hills annually. The employment of working parties has been most successful in every respect; and during the last hot season no less than 1,170 men were employed, to the benefit of their health and general efficiency, and also to great public advantage in other ways. During the coming hot season we hope to have a total of 6,438 men in the hills in this Presidency, and a large number of the remainder will be well-housed at healthy stations in the plains."

ARMY—AMENDED HENRY-MARTINI RIFLE.—QUESTION.

Mr. MUNTZ asked the Surveyor General of the Ordnance, If the sealed pattern of the amended Henri-Martini

Rifle is open for inspection to Members of this House; and, if so, when and where; and, if Members would be allowed to inspect the interior mechanism of the breech action?

Mr. CARDWELL, in reply, said, he would answer the Question in the absence of his right hon. Friend. His gallant Friend would have the weapon ready for inspection at the War Office for hon. Members who were desirous to examine it; and the interior mechanism of the breech action might be inspected at the same time.

ARMY—GREAT-COATS TO THE MILITIA.

QUESTION.

Mr. COLLINS asked the Secretary of State for War, Whether paragraph 126, Militia Regulation, 1854, for the supply of great-coats to all militiamen called out for training is now in force; if so, why such regulation is not uniformly carried out; and, if no longer in force, by what subsequent regulation it has been superseded?

Mr. CARDWELL: The regulations of 1854 are no longer in force. The regulations of 1857 allow great-coats; but when the period arrived for fresh issues it was ascertained that the cost would be very great, and it was decided only to issue sufficient for guards, pickets, &c. This year great-coats will be issued to those regiments which are encamped. The issue will be about 10,000.

CLERKS OF THE CUSTOM HOUSE.

QUESTION.

Mr. PEEK asked Mr. Chancellor of the Exchequer, Whether, in his answer to the honourable Baronet the Member for Chelsea, he intended to convey that it is the intention of Government to dismiss certain of the junior established Customs Clerks, all of whom, after passing a competitive examination, have served satisfactorily for seven years and more, in order to make room for prospective civil servants, whose efficiency will have to be proved, whose experience has to be acquired, and who have as yet no claim whatever upon Her Majesty's Government?

The CHANCELLOR of the EXCHEQUER, in reply, said, it was not his intention to convey any meaning of the kind as that imputed to him. What he intended to convey was that a large number of the clerks in the Customs were not required for the business of the office, and the Government, however unwillingly, found it necessary to get rid of a certain number of those gentlemen, giving them the full pension they were entitled to by the Act of Parliament; but there was no intention of supplying their places by competition or in any other way. There was no work for these gentlemen to do, and the measure became necessary, though he was sorry that these persons should be called upon to suffer for the public good. While these gentlemen had no further claim upon them, the Government wished to mitigate the effects of the act as much as possible. The Government, therefore, desired to allow some of these to commute their pensions, and they had also endeavoured to find room for as many of them as they could, as vacancies might occur from time to time. But this could not be done suddenly or at once. Having once adopted the system of competition, it would not be just to disappoint those whose expectations had been thus raised, and it was proposed, therefore, to give some of the vacancies to these clerks, and some to those who were to be selected by competition. There was no intention on the part of the Government to overlook the claims of these persons, or to treat them harshly.

ARMY—PROMOTION IN THE ARTILLERY.—QUESTION.

Major ARBUTHNOT asked the Secretary of State for War, What is to be the sliding scale in the distribution of the extra £5,000 taken in the Estimates for improving the promotion in the lower grades of the Royal Artillery; and, whether he will substitute the qualification of service for that of age, so as to avoid awarding to a junior officer (in point of service) a larger retiring pension than to his senior?

Captain VIVIAN said, in reply, that the retiring pensions of second captains and lieutenants in the Royal Artillery would be as follows:—Those at the age of 42 next birthday would have £225; 41, £208; 40, £191; 39, £176; 38, £161; 37, £148; 36, £135; 35, £122; 34, £110; 33, £99; 32, £89; 31, £79; 30, £69; 29, £60; 28, £51.

WAR OFFICE—THE INCOME TAX COMMISSIONERS.—QUESTION.

Mr. O'REILLY asked the Secretary of State for War, What course he proposes to take with regard to the gentlemen now or lately in the War Office, who are stated by the Committee of this House on Public Accounts (Third Report, paragraph 15), to have been guilty of grave impropriety in appropriating to themselves, as Income Tax Commissioners, public money to which they had no claim?

Mr. CARDWELL: Sir, the Accountant General and the Chief Clerk have tendered their resignations, and I have accepted them. I desire to add that while I cannot in any way extenuate the censure passed by the Committee, I am able, after careful inquiry, entirely to exonerate them from any charge of consciously and wilfully appropriating to themselves public money to which they were not entitled.

WEST COAST OF AFRICA—TRANSFER OF THE GAMBIA COLONY.—QUESTION.

Sir HARRY VERNEY asked the Under Secretary of State for the Colonies, Whether there is any truth in the report that the Government have in contemplation to make over the Colony of the River Gambia to the French; whether he has considered that the Colony is the nearest to this Country of our African dependencies, with a river navigable for 300 miles by ships drawing 10 feet of water, and of which the mouth may be entered at all times by ships drawing 25 feet; and, whether he is aware that the river leads to a healthy country, well adapted to the growth of tropical productions?

Mr. KNATCHBULL-HUGESSEN, in reply, said, he hoped his hon. Friend would forgive him if he left unanswered the latter part of his Question, because, without either admitting or denying his facts, he could not enter upon the considerations he mentioned without following a practice which was very inconvenient — namely, that of making a speech of some length in answering a Question. With respect to the actual question as to the cession of the Colony of the River Gambia to the French, he could only refer his hon. Friend to the Papers already presented to Parliament, and inform him that the negotiations relative to such cession were broken off upon the commencement of the Continental War, and that there was no probability — certainly no present probability—of their being resumed.

POST OFFICE—TELEGRAPH OFFICES.

QUESTION.

Mr. NOEL asked the Postmaster General, Whether instructions have been given at the various Telegraph Offices that the messages sent from and delivered at those offices are to be considered strictly private and confidential, and are not to be divulged by the officials employed; and, if such is the case, whether he will insist upon such instructions being rigidly enforced?

Mr. MONSELL: Sir, the best answer I can give to the first part of the Question of the hon. Gentleman will be to read some extracts from the instructions which were issued to every postal telegraph office before the transfer of the telegraphs to the Government, and which are strictly enforced—

> "The officers in postal telegraph offices must in the first place understand that the messages which pass through their hands are to be regarded by them as strictly confidential communications, and that any breach of confidence on their part will be visited with severe punishment."

There is also a clause calling their attention to the effect that by the Telegraph Act any person infringing that regulation would subject himself liable to imprisonment for a term not exceeding 12 months. The next clause says—

> "In order to carry out the intentions of the Act the Postmaster General directs that no officer of the Department shall have access to the instrument-room of any postal telegraph office, or to that part of the room in which the instrument is placed, unless his official duties require him to be there."

Only one case has been brought to my notice since I came into office of these rules having been infringed. That was the case of a clerk who divulged a portion of a message which was connected with turf operations. The clerk in question bore the highest character, he had been a long time in the employ of the telegraph company, to whom he had given the greatest satisfaction, and he was an excellent public servant in every respect; but, nevertheless, I deemed it my duty to dismiss him. If the hon. Gentleman asks this Question in consequence of a knowledge or suspicion on his part of any infringement of the rules I have just mentioned, I will venture to say I think it is his duty to communicate his suspicions and the evidence on which they are founded to me. If he does so I promise him that the matter shall be fully investigated, and that if culpability can be brought home to any officer of the Department he shall be most severely dealt with.

POST OFFICE—LETTER RECEIVERS AND TELEGRAPH BUSINESS.

QUESTION.

Mr. CHARLEY asked the Postmaster General, Whether any, and, if any, what remuneration has been paid by Her Majesty's Government to Letter Receivers in respect of Telegraph business transacted by them, and of their expenses out of pocket in carrying on such business, since the 30th September, 1870?

Mr. MONSELL replied that provisional allowances, in proportion to the work done and the expense incurred, had been made to many letter receivers engaged in transacting telegraphic business, and the claims of all were receiving consideration.

WAYS AND MEANS.—REPORT.

Resolution *reported;*

"That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-one, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Duties (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Duty of Sixpence;

And in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,

For every Twenty Shillings of the annual value thereof;

In England, the Duty of Three Pence; and

In Scotland and Ireland respectively, the Duty of Two Pence Farthing;

Subject to the provisions contained in section three of the Act of twenty-sixth Victoria, chapter twenty-two, for the exemption of Persons whose whole Income from every source is under One Hundred Pounds a-year, and relief of those whose Income is under Two Hundred Pounds a-year."

Resolution read a second time.

Mr. W. M. TORRENS moved to leave out "Sixpence" and to insert "Five Pence," with a proportional reduction under Schedule B in the Resolution. He said, the Committee of Ways and Means had recommended the House to vote an addition of 50 per cent to the income tax, but the forms of the House admonished them that before they accepted that recommendation they had a right to consider its substance. He asked the House, not merely in compliance with an old form, but in discharge, as he conceived, of an obvious duty, to consider whether this recommendation ought to be adopted. The experience of the past fortnight encouraged, if it did not compel, hon. Members to think for themselves in respect to these matters. There was a time when the Budget was regarded as a prescription prepared with unusual care and peculiar knowledge, and even men of thought and reflection in all parts of the House were slow to question the recipe of the financial physician. A fortnight ago the House was informed what was the first prescription for this year. The patient had since been taken into consultation; each ingredient to which he had in turn objected had been abandoned; and nothing now remained but the element which the doctors themselves concurred in declaring the most objectionable of all. The Chancellor of the Exchequer frankly owned when he brought forward his first Budget, and the admission was creditable to him, that he shrank from laying the whole weight of exceptional burdens on the income tax, because, to use the right hon. Gentleman's own words, "It would bitterly pinch the lower middle class," a class already heavy laden in the struggle for life. The House, he trusted, would keep these words in mind. He could not mend them if he tried. He trusted that hon. Members, as the guardians of a great and varied community, would not deal so inequitably with a particular class which was even now paying more than its quota. Why shear only the flock they had already fleeced, and leave the rest of the sheep unshorn?

He took no part in the discussion raised the other evening by the hon. Member for Westminster (Mr. W. H. Smith), and he did not vote on that occasion. He recalled these facts, because he and those who thought with him conceived that there was a prior and a greater question at stake, which question he was about to lay before the House. The wisest statesmen in times past had always carried in their minds the equity between to-day and to-morrow, the equity between the ability of the country to bear an extra weight of taxation during a single year for the accomplishment of a particular object and the spreading of the taxation over all the years that were to be benefited by it. If there was justice to be done between classes there was justice likewise to be done between years. They might be told they were bound to care for the rights of those who are to come after them, and not to mortgage the inheritance of their children in order to benefit themselves. That was true; but they had a duty likewise which they owed to their own generation, the spirit of whose industry might be overweighted: this was also true; and the wisdom of legislation lay in balancing and reconciling different truths, not in setting up one against another. He might be permitted, before proceeding further, to say, that he had had the great advantage of comparing his opinions and his reading of the facts of the case with Mr. Hubbard—a gentleman whose absence from the House on the present occasion must be generally regretted on account both of his great financial knowledge and his conscientious candour and care in dealing alike with great questions of principle and detail. He should state nothing which he did not believe had Mr. Hubbard's entire sympathy and support. He should say nothing upon what had been described by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) as a hocus-pocus of finance; but he must express his regret that the Chancellor of the Exchequer and the Prime Minister should have led the House over ground so difficult as that they had to tread, and at the end left a majority of the House unaware of the merits of the case. He did not charge these right hon. Gentlemen with intentional deception; but he thought it dangerous for a Government to ask the House to sanction great measures of taxation upon reasons which they could not make clear to the majority of its Members. The question was not difficult of comprehension if Government would steer clear of subtleties, which, though convenient for a policy of mystification, were not likely to uphold the dignity of Parliament, or to promote the true interests of the country. He agreed with the right hon. Gentleman (Mr. Disraeli) that in dealing with Ways and Means it was not wise to interpolate discussions on Supply, and, therefore, he should say nothing as to the nature of the contemplated expenditure, or the possibility of its reduction; but for the purposes of a fair discussion, he would take the figures which had been laid before the House by Ministers. There were, then, two ways of looking at the question of the Budget; first, the way in which he thought it ought to be dealt with, and then the way in which the Chancellor of the Exchequer thought fit to deal with it; and in both points of view he undertook to show that Parliament ought not to vote this addition of 50 per cent to the income tax; but that at the worst, 25 per cent, or an additional penny in the pound, might be made sufficient to meet all the equitable charges of the year. What were our requirements and our resources? We were told that we wanted for the Army £16,432,000; the Navy, £9,756,000; to maintain the dignity of the Crown and the cost of the Civil Service, £10,726,000; for the collection of Revenue, the Packet and Telegraph Services, £6,644,000; for the Consolidated Fund, £1,820,000; and for the payment of the legal interest on the public Debt, £24,685,000: making a total of £70,083,000. To meet these demands we were led to expect from the Customs, £20,100,000; from the Excise, £22,420,000; from Stamps, £8,750,000; from Taxes, £2,330,000; from the Post Office, £4,670,000; from Telegraphs, £750,000; from Crown Lands, £375,000; from Miscellaneous, £4,100,000; and from Income Tax, at 4*d.* in the pound, £6,100,000: making a total of £69,595,000. And here he must observe that he had not, during the last fortnight, met a single individual who did not concur in the opinion that the Chancellor of the Exchequer had fixed his yield of Revenue too low, and that he would not have the deficiency at the end of the year which he now proposed to take Ways and Means to provide for. The Chancellor of the Exchequer estimated his indispensable Revenue for the year at £69,595,000, and his outlay at £70,083,000, which left a deficiency on the expenditure, in round numbers, of £400,000; but if that were all that was in dispute, he fancied that the House of Commons would not have been engaged during a whole fortnight in discussing the question. In addition to the figures he had quoted, the Minister asked the House to provide £2,300,000, which he said was required for extra expenditure, but which he (Mr. W. M. Torrens) maintained was intended to provide for the creation of annuities to pay a debt which the House ought not to be called upon to discharge out of the taxes of the current year. Let them by all means pay what they owed; but in law an obligation to pay implied two persons, an obligor and an obligee, and he maintained that in the present case there was no obligee. Annuities might be fabricated, but there were no annuitants to be paid, and, in fact, this statement of liability was a fiction for the purposes of account. It was with amazement that the other night he heard the First Minister urge in support of the present proposal, that in 1842, when great distress prevailed, Sir Robert Peel laid on a heavy income tax, but did not venture to suspend payment of the annuities for the year. The right hon. Gentleman might as well praise Sir Robert Peel for not having stopped the Civil List or the pay of the troops. He had no discretion in the matter. Sir Robert Peel had to deal with Long Annuities held by the public—not to pay which would have been an act of insolvency. In the name of plain dealing what was there in common, except the word Annuities, between the state of things with which Sir Robert Peel had to deal and the state of things now existing. The Chancellor of the Exchequer had no Terminable Annuities to pay in 1871 but what his right hand chose to give to his left. His advice was that they should pay what was actually owing; but he would go through the items they were asked to pay, but to which he objected, and ask any hon. Member with whom a sentiment of party did not supersede the sentiment of patriotism, whether there was any necessity for paying items of account demanded by nobody, out of taxes wrung from the middle and poorer classes of the people?

The alleged deficit was made up of three items—new schools, new Army commissions, and new military stores. Let them take these items one by one, and say how they ought to be dealt with. First, with regard to schools, the House did not grudge the £420,000 additional required this year for education; but what would this year get for the money? Every penny of it was outlay for future years. Some of the outlay might ripen five years hence, some ten years hence; outlay that might be for the benefit of 1881 and for the years intervening. Then why should not those years help to pay for it? They could not build school-houses every day. Build them this year, and they were built for the benefit of the 10 years. He did not say do not build them; but that it was at variance with the consistent policy of the House in other matters to lay the whole of the cost on the taxes of a single year. The sum was not large, but it was made one of the pretexts for imposing a great and grievous additional burden. A man might want an extra twopennyworth of cream, but was that a reason why he should keep an additional cow? He felt quite sure that if Mr. Bright were in the House he would join with him in saying that if an annual expenditure of over £70,000,000 was required for special purposes in times of peace, the extra sum ought to be provided either by cutting down expenditure in other quarters or by diffusing the cost over a number of years. Now, as to Purchase. The Chancellor of the Exchequer asked the House to provide £600,000 for buying up commissions this year under the Re-organization Bill, and he took this item, therefore, as one for which provision ought to be made. But what was the item? It was confessedly one which might not have to be met by the Treasury during the current year. The Bill was not passed; it had yet to go through Committee; and looking at the unbusinesslike state of public business, who could venture to say for certain that the Re-organization scheme, whatever might be thought of its merits, would become law this Session? Was it not, he would ask, trifling with the temper and the patience of the taxpayers of this country to impose upon them a most odious tax in the mere hope of passing the measure unchanged through that and the other House of Parliament? With reference to the stores, he would ask, why should the profits and wages of to-day be over-weighted with the whole cost of the £1,600,000 which it was proposed to spend on extra munitions and stores? Were the accumulated cartridges, the surplus powder and ball, the rockets, torpedoes, and shells to be fired away by Christmas or before the end of the current financial year? If these costly means of national defence were to be provided, they were so in the honest hope that they might not be used in 1871; but that the fact being known of their having been made ready betimes, we might not be called on to use them. They were in the nature of national insurance against rash and wanton aggression, and as such their cost was well-spent money. But was the insurance they afford, security for 1871 alone, and was it not meant to be for 1873 and 1876, the whole expense being confined to one year? He had heard a very admirable explanation of those stores given. They had been described as the furniture of the forts; and as the cost of the forts was spread over a number of years, the same plan ought to be followed with regard to the furniture. In a word, this was an item which ought to be charged to capital account, and not set down in the working expenses of the year. Of all the expedients, too, at the disposal of the Government for raising the money they required, they had selected the one which the Prime Minister himself had condemned in the strongest possible terms. Speaking in that House when in Opposition, the right hon. Gentleman had, referring to the income tax, said—

> "It tends more than any other tax to demoralize and corrupt the people; not from the extent of its levy, nor from the fault of those who levy it. . . . but from the essential nature of the tax itself. . . . It is a source so productive, an engine so convenient—it is so easy to lay on 1*d.* or 2*d.* at a time . . . that so long as you have the income tax a part of your ordinary revenue you need not think of effective and extensive economy." — [3 *Hansard*, clxix. 2139, 2140.]

Here was condemnation, broad, sweeping, and plain. He did not say that Ministers had not a right to qualify their opinions; but they had been accustomed in that House to look to the right hon. Gentleman as the great financier of the Liberal party, and with that article laid down as one of the cardinal items of the Government creed they had a right to expect that the right hon. Gentleman and his Government would not be the Government to resort to a tax which had been so condemned by his own lips. It was only the other evening that the right hon. Gentleman had denounced what he termed the illegitimate combination of Gentlemen on both sides of the House—a combination defined by him to be illegitimate because, in the event of success, hon. Members from the Ministerial side of the House, and Members from the Opposition, who voted in the same Lobby, would not have agreed upon what was to be done afterwards. He would, however, remind the House of what had occurred during the administration of Lord Liverpool. When the great Continental strife had ceased the Liberal party in Parliament, then in a decided minority, asked for a reduction of troops and an abatement of taxes. Lord Liverpool's Administration had, up to that time, never been shaken. It was led in that House by a man of wonderful energy, courage, and talent, and the majority supposed to be at his command was unbroken. But the Government of 1816 refused to cut down the Army Estimates, refused to give up the re-payment of debt; and for these two purposes they insisted upon keeping up the income tax. The House of Commons, to their amazement, suddenly slipped out of their hands. Brougham and Whitbread, Romilly and Russell, denounced the keeping up of an income tax to liquidate debt which they agreed should only be done when there was a clear surplus; and a section of the supporters of Ministers, led by Wilberforce and Baring, broke their ranks, voted with the Opposition, and, by a majority of 39, scattered the financial scheme of Mr. Vansittart to the winds. He supposed, if the present Prime Minister had then been in Parliament, he would have called the forces that thus fraternized an "illegitimate combination," because, as he told the House the other night, when men of different antecedents and different aims united on a vital question of policy without settling, or pretending to settle, what they would do in the event of success, such a combination was not legitimate. But the country thought then—and he would venture to tell the First Minister the country thought now—that honourable men differing widely in their political leanings were esteemed all the more, not the less, useful and honest when they walked in the footsteps of Wilberforce and Brougham, when they preferred the good they could in common accomplish to a blind subserviency to the cause of party.

Sir Robert Peel was young in office when Mr. Vansittart pleaded in vain to be allowed to keep the income tax to feed a sinking fund. But Sir Robert Peel was a man on whom lessons of experience were not thrown away. And for the next 25 years he took care to keep a wide offing of the rock on which the Liverpool Cabinet had nearly foundered. When he became Prime Minister in 1841, he renewed, it is true, the income tax, but for what? To meet a great deficiency in the Revenue and to restore public confidence. But how did he apply the proceeds? Not to increase the value of Consols by reducing their number and converting a portion of them into Long Annuities, but by taking off other taxes which pressed heavily upon the labour and trade of the nation. Sir Robert Peel never, during his whole official life, proposed to levy an income tax to feed a sinking fund. Lord Halifax, who succeeded Sir Robert Peel, had extra expenditure to meet for the famine in Ireland; that was, he had a deficiency. But he did not attempt to meet it out of the Ways and Means of the year. He did what was better; and with Sir Robert Peel's sanction—he diffused the burden over a period of years. When the distress was past, he too had a surplus, and, with the assent of Sir Robert Peel, he divided that surplus between remission of taxes and paying off debt. In both cases he did right, and he remained Chancellor of the Exchequer for nearly six years. He was a Member of the Cabinet now; but he (Mr. W. M. Torrens) should marvel indeed to hear that he was the author of this unpopular scheme. The fact was that the Chancellor of the Exchequer had been somewhat spoilt by the impunity with which he had disregarded the protests of public opinion. He owned that in these days of indiarubber principles it was something to find a man possess the hardihood needful to stick to his opinions when he was sure they were right. But he could not say that he respected equally the courage of a man who came forward to defend measures, some of which at least he admitted to be wrong. Indifference to the passing breeze of public favour was high merit in a statesman; and if the right hon. Gentleman had clung to any one view of the public interest, professing to believe it indispensable and sound, men of humbler capacity and less information would have been staggered by his firmness, and, perhaps, have been convinced at length by his reasoning. But when they saw one child after another born only to be deserted, charity compelled them to doubt the paternity of each and all. First they had had one with three heads, which the populace declared to be a monster, and which, after three days, was abandoned; then they had one with two heads, and that was likewise forsaken; and now they had one born in convulsions, which had come into the world "scarce half made up, and that so lamely and unfashionably" that it seemed extremely doubtful whether it would ever be able to stand. The Chancellor of the Exchequer did not battle for these children that were called his as he was wont to do for his genuine offspring. They missed the philosophy, and lacked the fun—

"Quæ nunc abibis in loco,
Nec ut soles dabis joca."

If the right hon. Gentleman had propounded what he thought right, and adhered to anyone of his Budgets, though he might not have been able to support him, yet he would have had his respect. But these three Budgets could not be all right, nor equally right, and there was not one of them that had not been condemned. At the clubs, in the press, in society, wherever you went, you met with the same condemnation of the Government proposals, and if the House could be polled without regard to party there would be only a minority of 1 to 3 in its favour. The common-sense plan was to diffuse the burden of exceptional expenditure over a number of years, and, if we deviated from this rule and told the people that the price of national defence was to be submission to intolerable taxation, we should debauch their minds and inspire them with a feeling of selfishness, that might one day prove a source of peril and calamity to the realm.

If it were true, as we had lately been told, that the Government had been recently entering upon great banking speculations, they ought not to have done so unless they had been provided with a surplus. If they chose to set up a State bank in Downing Street, they ought to have known beforehand where they were to get their working capital, and they had no right, because they were short of it, to impose direct taxes upon a particular class. They must contrive to carry on their operations with the savings banks deposits and the Chancery Suit Funds without involving the country in any new liability. We could not afford it; the people would not bear it; it would render Government unpopular, and bring national finance into unprecedented disrepute. The House of Commons represented the shareholders in this State bank; Ministers were the directors; and if they entered into these operations they must not come down upon us for a call, for it would be refused. The demands of the year could be met without it; but the £2,250,000 required for speculative purposes were not forthcoming, and they were opposed to furnishing it by direct taxation. Without bandying words about 1866, he believed that the impression left on the House by the language of the First Minister was that his scheme of Terminable Annuities "would have the great advantage of giving facilities for borrowing that never existed before." Money could be had on easy terms now, and he was assured there would be no difficulty in providing £2,300,000 by Exchequer Bonds, or by re-converting Annuities into Stock. It would not do for the Chancellor of the Exchequer to try and get rid of the matter by a special demurrer. He had, a few evenings ago, deprecated the modification proposed by him (Mr. W. M. Torrens), because there was no conversion going on; but the First Minister had argued that we ought not to suspend the process of conversion. But how could we suspend an operation that was not going on? He must leave the First Lord of the Treasury and the Second Lord of the Treasury to settle between them the proprieties of financial speech; but the House was thinking of facts not of phrases. The Committee of Ways and Means had voted the addition of 2*d.* to the income tax; he did not ask the House to overrule entirely the recommendation of the Committee; but unless the whole scheme of the First Minister was an empty farce it was in our power, as it was our duty, to reconsider the question with a view of saying whether the half would not be better than the whole. That would bring us back to the first item of the Budget, which, if it were right a fortnight ago, could not be wrong now; and, adding 1*d.* to the income tax, let us suspend the conversion of stock, or, if that was not the right expression, do that which the First Minister assured the House there would be great facility in doing, and let us take the money up on expiring securities, and diffuse the burden over other years. We were assured that prosperity was returning; if so, the Revenue would rise, and the Chancellor of the Exchequer would have a surplus to deal with next year. There was a vast difference between a real surplus earned by the people and the fictitious supply of exceptional wants by means of taxation. A genuine surplus was the healthy sweat of national industry, which had nothing in common with a scalding douche of excessive exaction. The hon. Gentleman concluded by moving his Amendment.

MR. WHITE, in seconding the Motion, said, after the able and exhaustive speech of his hon. and learned Friend but little was left for him to add, except to express his regret that he had not gone further, and had moved that the income tax should be 4*d.* instead of 5*d.* With regard to the Terminable Annuities, as far as he could make out from the last Finance Accounts, the future annual charge would be £4,017,955. Of that amount, £1,600,000 of annuities were on account of savings banks, issued in the year ending the 31st of March last. It was quite obvious that out of figures of that magnitude the Chancellor of the Exchequer might, by a year's extension of the term of a part of those annuities, well be content with an income tax of 5*d.* The Chancellor of the Exchequer admitted that the thing could be done, if it were good that it should be done. He held that it was good that it should be done, and he therefore wished it would be done, as the result of the decision of the House. It was true the Prime Minister had piteously implored them not to break down the great ancestral system of Terminable Annuities. With all respect for the archæological reverence of the right hon. Gentleman, he must remind him that he had not scrupled to break down more than one ancestral system of much higher antiquity, and he broke them down because their *raison d'être* had ceased, and their continuance could not now be justified. It might be a very sublime and transcendental sort of sensation that a man had when he consoled himself that he was doing something for posterity, and there were people who carried their heads so high and who looked so far that they quite forgot, or overlooked, the misery and distress which were around them. He could not help thinking that the zeal and energy which the right hon. Gentleman had imported into his scheme of Terminable Annuities derived an enormous amount of vigour from a book which was written by Professor Jevons on the probable early exhaustion of the coal-fields of this country; but one of the Royal Commissioners now investigating the question of the coal supply, the hon. Member for Glamorganshire (Mr. Hussey Vivian), had recently assured the House that there was an abundant supply of coal for many hundreds of years. The discussion at that time, and the remarks of the then Member for Westminster (Mr. Stuart Mill), he believed had a great influence on the mind of the present Premier. He (Mr. White) knew it was held to be eminently respectable to reduce the National Debt, and the proposal found much favour with the rich; but he had always protested against, he would not say that piece of political pedantry, but an operation which could not be justified by expediency or by common justice to the present generation. Only the other night, the hon. Member for Lincoln (Mr. Seely) urged on the Postmaster General that if he would consent to a sacrifice of not more than £31,700, by reducing the postage rate between England and America from 3*d.* to 1*d.*, a great boon would be conferred on millions of our own race on both sides of the Atlantic. But that delusion of paying off the Debt for the relief of posterity stood in the way of such a beneficent change. He might be told that the United States had already reduced their Debt £200,000,000 sterling. [Mr. GLADSTONE: Hear, hear!] He admitted the fact; but it must also be recollected that it was the present generation who made that just and holiest of wars, and they were content also to pay for it. Moreover, England, by taking thought, could not add to the area of our island home, but America had the strongest incentive to reduce her Debt, and consequent taxation, to render her country attractive to European immigrants now needed to till her vast uncultivated prairies and almost boundless tracts, of which it might be said, in the words of Douglas Jerrold, that "They only require to be tickled with the hoe to laugh with abundance;" whereas our case was very different. But was the right hon. Gentleman so sure that if even if they reduced the Debt posterity would benefit by it; for was there not great danger that when the public feeling was much excited, as had happened in times past, a Government might be encouraged to commit some hideous blunder, and to plunge the country into an unnecessary war, thereby, perhaps, heaping up the Debt to its original magnitude? Again, was it not obvious that the natural increase of population, the normal augmentation of wealth, and the inevitable diminution in the purchasing power of gold must gradually lighten the pressure of the Debt on the nation. The burden of the Debt was constantly diminishing. It was estimated in 1811 as being equal to 26 per cent of the aggregate value of the property of the country. In 1871—60 years afterwards—it was estimated as having fallen to only 11 per cent; and though, of course, these statistics must only be approximative, still it might be fairly assumed that before the end of this century the burden of the National Debt on the people would not equal more than 5 per cent of the whole wealth of the country. About £7,000,000 had been raised in Terminable Annuities for the construction of fortifications; and would it not be fair that the expense of arming those fortifications should also be charged to the fortification loan, or to a special loan for that purpose? The extra demand made in the Estimates this year for ordnance, projectiles, gun-carriages, torpedoes, &c., amounted to £986,480. As most of them believed that the guns now being put into these forts would never be fired in anger, was it too much to ask that their cost, together with the charge for the abolition of purchase in the Army—a charge which could occur only once in the history of the country—should not be paid for out of the taxation of this year? These two amounts would be equivalent to the 1*d.* of income tax for which the hon. Member for Finsbury had pleaded. On the subject of the National Debt he wished to quote this passage from Mr. Mill's work, *Principles of Political Economy*—

> "In a country advancing in wealth, whose increasing revenue gives it the power of ridding itself from time to time of the most inconvenient portions of its taxation, I conceive that the increase of revenue should rather be disposed of by taking off taxes than by liquidating debt, as long as any very objectionable imposts remain."

He asked whether the malt tax was not a very objectionable tax; whether the taxes on locomotion were not also very objectionable; and, indeed, he might give a long list of very objectionable taxes of which they were expected to bear the burden for the benefit of posterity. Was not the poor man taxed a farthing on every pint of beer he drank for the benefit of posterity? The opposition which he and his friends below the gangway felt it to be their duty to offer to the Budget had been stigmatised in the Government organ as "the result of the conspiracy of this Session;" but he assured the right hon. Gentleman that if they were conspirators they would sit *en permanence*, and that opposition would be renewed whenever there was any attempt to impose new burdens on account of unnecessary expenditure. While they were glad to promise a general support to the Prime Minister, he must not construe that promise to mean servile submission, neither should he forget the original compact of economy which justified their fealty.

Amendment proposed, to leave out "Sixpence," and insert "Five Pence," —(*Mr. W. M. Torrens,*)—instead thereof.

Question proposed, "That 'Sixpence' stand part of the proposed Resolution."

MR. CRAWFORD said, he must deprecate the re-opening of the discussion on the whole question of the Budget after the long debate which was held on Monday evening; and he must add that he, for one, must despair of investing a subject of that kind with the interest his hon. Friend (Mr. W. M. Torrens) always cast around any question he dealt with. He could not agree with the observations of the hon. Member for Brighton (Mr. White) on the subject of Terminable Annuities, because he did not share in that disregard for posterity which had been manifested both by the hon. Gentleman and by one who had been a predecessor of himself as a representative of the City of London. The hon. Member for Finsbury had proposed to raise the income tax from 4*d.* to 5*d.*, instead of 6*d.*, and to borrow the remainder of the sum required by the Chancellor of the Exchequer; but the House should remember that the money, if borrowed, must be repaid, and it would only be in accordance with principle and practice to provide the money now, in a time of peace, by means of taxation. The hon. Member for Finsbury had denounced the wickedness of the income tax in very strong language; but would there not be as much mischief done by the imposition of an extra 1*d.* as by the additional 2*d.* proposed by the Government? There was nothing in the speech of the hon. Member which should induce the House to depart from the decision at which the Committee had already arrived. In speaking of the Terminable Annuities the hon. Member described that scheme as "a fiction for the purposes of account;" but money must be raised by taxation for the purpose of meeting the annual charge of those Annuities, and that money must be held in such a way that it would yield some return in order to meet the demands of depositors in savings banks. It was never intended that so large a sum should remain unfruitful. The hon. Gentleman had misconceived the nature of the arrangement involved by the scheme of Terminable Annuities, and had misunderstood what had been said by the present Premier in 1866, when the right hon. Gentleman clearly contemplated the continuance of his plan until 1885. The right hon. Gentleman also said—

> "Terminable Annuities have, I think, very great political advantages. They place the payment of the public Debt to a certain amount beyond competition for the repeal of this or that particular tax, and beyond the caprices and vicissitudes of the finances of any particular year."

With those words before them, he wondered that any hon. Member should have supposed that the right hon. Gentleman contemplated having recourse to the suspension of the Terminable Annuities operation as a means by which he could at any time replenish the Exchequer. If the money were at the disposal of the Savings Banks Commissioners it would be competent for the Chancellor of the Exchequer to obtain from Parliament authority to borrow £1,000,000 or £2,000,000 in Exchequer bills or bonds; but the money was already engaged, £1,500,000 having been already lent to the Irish Church Estates Commissioners, while arrangements had been made for lending a further sum. Borrowing from the Savings Banks Commissioners was, in fact, borrowing from the public, and that could not be done without repayment; and he therefore differed from the hon. Member for Finsbury as to the means by which the Chancellor of the Exchequer could raise the amount he had to provide. Hon. Members must, however, look to the fact that the general principles of the Budget had been some time before the House, that £2,700,000 had to be provided on account of the Votes which had already been passed in Committee of Supply, and that it was now the duty of the House to provide the Ways and Means. He took exception to any renewal of the discussion respecting the financial arrangements of the Government in the shape of the Motion which was now before the House, because, whatever might be the merits or the demerits of the proposal of the Government, its further discussion would be an unnecessary consumption of public time. For the reasons he had stated he should decline to give his vote for the Amendment.

Mr. R. N. FOWLER said, he could not agree with the hon. Member for Brighton (Mr. White) in thinking that no effort should be made to reduce the National Debt; but while anxious to reduce the Debt, he considered that much of the expenditure of the current year, including that which would be involved by the passing of the Army Regulation Bill, might be regarded as an investment rather than as expenditure. The result of that Bill, he feared, would be to make the Army an engine for political jobbery; but, while holding that view, he would, for the sake of argument, assume what was alleged by hon. Gentlemen opposite, that it was a boon to the country, and on this supposition he maintained that it was in the nature of an investment, and we were not bound to meet it out of the taxation of the current year. There were other charges which, as the hon. Member for Finsbury (Mr. W. M. Torrens) had stated, were in the nature of an insurance, and might therefore fairly be provided for by suspending the operations which would otherwise be carried out for the reduction of the Debt. He strongly objected to the proposed increase of the income tax, which was a most oppressive tax, and universally disliked throughout the country. It was their duty, therefore, to their constituents and the country at large to pause before accepting this third Budget of the Government. The increase of 2*d.* in the pound would be felt as a great hardship by the professional classes, especially by poor clergymen and medical men. At the same time, he must admit that he was glad the proposal made by the Chancellor of the Exchequer in introducing his first Budget to substitute a percentage for a poundage had been abandoned. He was only surprised that such a proposal had ever been sanctioned by a Cabinet in which the the First Lord of the Admiralty (Mr. Goschen) had a seat, for that right hon. Gentleman was undoubtedly considered in the City as a very high financial authority, and he must have known that the proposal in question would have inflicted very great inconvenience on the commercial community, and probably on his own constituents. The two previous Budgets having been withdrawn, the proposal of the Chancellor of the Exchequer had now been reduced to the "sweet simplicity" of an increase of 2*d.* in the pound to the income tax, and he hoped the House would refuse its sanction to that proposal. He should have much pleasure in voting for the Amendment of the hon. Member for Finsbury.

Mr. OSBORNE: The hon. Gentleman the Member for the City of London (Mr. Crawford) commenced his observations by deprecating any discussion on the question before the House as unusual. Sir, it may be unusual; but I ask the hon. Gentleman, and I ask, the other Members of this House, whether the whole of the circumstances attending the introduction of Budget No. 1, the withdrawal of Budget No. 2, and the introduction of Budget No. 3, are not also very unusual, and whether it be an improper consumption of time if we thrash out this subject a little further. I was one of the small band who, on the Motion of the hon. Member for Westminster (Mr. W. H. Smith), on a late occasion, not only declined to give him their support, but also abstained from giving a Vote of Confidence in the Government. If I view the vote of that majority aright, it was not so much approbation of their financial plans as a qualified Vote of Confidence, and, probably, a little dread of the effect of a contrary vote—a qualified Vote of Confidence in the vitality of the Ministry. Now, while I am on the subject of appeals to confidence, I must be allowed to remind the House that, formerly, Votes of Confidence were "few and far between." The Minister then kept back that as an extraordinary weapon for extraordinary occasions. Now, forsooth, it is produced upon the most every-day occurrences. And, whether the question at issue regards the dismissal of a distinguished and ill-used Admiralty official, or whether you have a Budget withdrawn after the deprecation of the Chancellor of the Exchequer as to the pinching of the increased income tax on the lower middle class, the merits of the question at issue are totally put on one side. No regard is paid to the justice done to the individual or the satisfaction of the country; the whole thing is made a party question, the result being for the convenience of the Government. Now, Sir, I say it is not fair to be always calling on this House for Votes of Confidence. Questions should be discussed on their own merits. Party is a dirty enough transaction as it stands at present; but if you are dragging us through the mire of party on every occasion—if you are always starting up and saying, "This is a question of confience, and we will go out if you carry it out," it strikes me that if that weapon is made too much use of the right hon. Gentleman will be like the boy in the fable, who cried "Wolf!" so often until the cry lost all its cogency and power. Now, I do not wish to criticize all the details of the Budgets that have gone by. I wish to speak of them, as of the dead, with a certain degree of respect. The succession duties are gone; the lucifer imposition is extinct; and I think I can give the right hon. Gentleman the Chancellor of the Exchequer, who is nothing if not classical, a little consolation as a little gain from his favourite author—

"Quid minuat curas, quid te tibi reddat amicos,
Quid pure tranquillet—honos an dulce lucellum?"

THE CHANCELLOR OF THE EXCHEQUER: It is *amicum* in the original, not *amicos.*

MR. OSBORNE: Yes; but I choose to make it plural; and for this reason—an hon. Gentleman the other night asked the Treasury Bench who are "We?" I say, therefore, "*amicos,*" not "*amicum.*" Well, Sir, we have now got a new Budget—Budget No. 3. Whatever the Members for the City of London may say to it, we all remember the correspondence on a recent occasion with "Dear Mr. Crawford." I say this Budget is a Budget of Revenge. Because we have not chosen to countenance the increase in the succession duties, therefore the right hon. Gentleman, who is the putative father of that scheme, has chosen to give another turn to the screw of the income tax, and to put an additional 2*d.* in the pound on the lower middle class, of whose interests he was so chary when he introduced his first Budget. We are told, by way of apology, that we have to provide for a transitional expenditure. That is a very good Parliamentary term; but my experience teaches me that when transitional expenditure and transitional Estimates are talked of, the danger is we shall be saddled with them in perpetuity. What was the promise made on the introduction of the income tax? It was called a transitional tax, to meet transitional circumstances, and the House was induced to pass it, limiting its duration to three years. What was the result of that transaction? The income tax has not only been saddled upon us for our natural lives, but, to use the words of the right hon. Gentleman the other night, it will become an "ancestral tax." I should like on this subject of the income tax to read to the House the promise made by the First Minister of the Crown. We have heard a quotation made by my hon. Friend the Member for Finsbury (Mr. W. M. Torrens) in a speech of which, I must say, I never before heard so much good sense and so much wit displayed in so short a compass by any Member of this House —a speech which merited a better fate than being answered in the curt and contemptuous way it was replied to by the hon. Member for the City of London (Mr. Crawford). Well, how did the present Prime Minister describe the income tax when speaking of it as Chancellor of the Exchequer on the 18th of April, 1853? He said—

> "In my own individual opinion it is perfectly plain, from the mode in which the income tax was put an end to at the termination of the great war, that it is not well adapted for a permanent portion of your ordinary financial system. . . . Even if you could remove its inequalities . . . there would still remain in my mind at least objections to it of the gravest character. . . . I think it most desirable that effectual measures should be taken to mark this tax as a temporary tax. . . . My own opinion is decidedly against the perpetuity of the tax as a permanent ordinary portion of our finances. . . . Our intention to put Parliament in 1860 in a condition to part with the income tax is a real and a *bonâ fide* intention."—[3 *Hansard*, cxxv. 1364, 1385.]

In 1861 the right hon. Gentleman made most remarkable observations on this tax. On the 15th of April he said—

> "I must confess I think it is a hard imposition. I should like very much to be the man who could abolish the income tax. I do not abandon altogether the hope that the time may come. . . . Looking forward to the future, and desirous to afford such indications as I can, I should hazard an opinion that, if the country is content to be governed at a cost of between £60,000,000 and £62,000,000, or £64,000,000 a-year, there is not any reason why it should not be so governed without the income tax, provided that Parliament shall so will it to be. [Mr. GLADSTONE: Hear, hear!] If, on the other hand, it is the pleasure of the country to be governed at a cost of between £70,000,000 and £75,000,000 a-year, it must, in my judgment, be so governed with the aid of a considerable income tax. That I believe to be the whole case."—[3 *Hansard*, clxii. 585-6.]

I ask, is it his pleasure that the country should be governed at this cost? Is it necessary? When the right hon. Gentleman the present Chancellor of the Exchequer—it is difficult to know now who is Chancellor of the Exchequer—asks this House *in formâ pauperis* to suggest a new tax, I may refer him to his right hon. Friend the present President of the Poor Law Board (Mr. Stansfeld); he is the man to give him advice as to how the country is to be governed. Hon. Gentlemen will recollect that the other night that estimable Member of the Government was put forward—I suppose to tickle Gentlemen on these benches, of whom he was once a most respectable Colleague. He talked about virtuous Resolutions being endangered. I was somewhat surprised, because I remembered a virtuous Resolution that was moved by him on the 3rd of June, 1862. And what was that virtuous Resolution? It was a Resolution on expenditure by the right hon. Gentleman the Member for Halifax, now President of the Poor Law Board—

> "That, in the opinion of this House, the National Expenditure"—which was then £70,000,000—"is capable of reduction without compromising the safety, the independence, or the legitimate influence of the country."

Well, that went to a Division. It was seconded by the present Financial Secretary to the Treasury (Mr. Baxter); it was supported by three Cabinet Ministers—the right hon. Member for Bradford (Mr. W. E. Forster), the right hon. Member for Pontefract (Mr. Childers), late a Cabinet Minister; the hon. Member for the Tower Hamlets (Mr. Ayrton), who, I beg his pardon, is not a Cabinet Minister, although he ought to be; and the hon. Member for Oldham (Mr. Hibbert), the present Secretary of the Poor Law Board. There were 65 Members supported the Resolution, which was got rid of by a sort of mock Amendment, moved by Lord Palmerston; and from that day to this the right hon. Gentleman the President of the Poor Law Board has never said anything about the reduction of expenditure until the other night he got up and told us that these were transitional Estimates, and that it was impossible to make any reduction in the Civil Service Estimates. I maintain that the only true way out of the labyrinth of debt, difficulty, and deficiency we have got into is the reduction of expenditure. I maintain that, as we have taken back the Budget with no false shame, we should have no false shame about taking back the Estimates. When were these Army Estimates framed? They were framed when the world was in a far different condition from that it is in now. They were framed when war was in full tide. They were framed when the Benedetti treaty frightened everybody in this country; but what is the case now? What is the state of the Continent now? Can you get up any panic at all now upon anything? The only panics in this country are those produced by the destructive Budgets brought forward by a Liberal Government. France! What danger do you run from France? It is in a state of collapse. Germany wishes to be quiet; Russia is pacified; America, we are told, is not at all dissatisfied. What reason have you to persist in forcing on the House this warlike Budget and these warlike Estimates? These Army

Estimates, without any reference to the abolition of purchase, I think hon. Gentlemen will open their eyes to. They will not be content to spend £16,000,000 or £18,000,000 on a scheme of which it is not too much to say nobody knows much about it. Then we have no estimate of the cost of retirement; it is, indeed . . .

> "Monstrum horrendum, informe, cui lumen ademptum."

"Ex luce"—there is no light there; you will get no light upon that. I do hope hon. Gentlemen will pause before they rush into this profligate expenditure. I find that there is £2,800,000 in excess over the Army Estimates of last year, not including the buying up of commissions. If it is the pleasure of the country that these commissions are to be bought, why are we not to treat them as we treated the costly scheme of fortifications, which I always opposed? If you are determined to benefit posterity to this extent, do not let us forget the present. Why should you not pay the amount off by means of loans, as you have paid for the fortifications? What pretext have you for calling upon the suffering taxpayers of the present day to pay the whole of this enormous demand. Talking of expenditure and war Budgets, I find a most remarkable extract from a speech of the right hon. Gentleman the Member for Buckinghamshire. He said—

> "Let us terminate this disastrous system of rival expenditure and mutually agree, with no hypocrisy"—I do not know who he alludes to—"but in a manner and under circumstances which can admit of no doubt—by a reduction of armaments—that peace is really our policy. Then, Sir, the right hon. Gentleman the Chancellor of the Exchequer may look forward with no apprehension to his next Budget, and England may then actually witness the termination of the income tax."—[3 *Hansard*, clv. 179.]

That speech was made in 1859, and it was followed in 1868 by one of those speeches of the Prime Minister at Manchester, who put upon the House, not upon the country, the increased expenditure. He said the Government were urged by the House to enter into this expenditure, and yet he will turn round upon you when you oppose him. I say you are bound to oppose him. He twits you when out of the House and before his constituents with this expenditure, and says it is the House of Commons which urges him into it. I call upon the House of Commons to be true to themselves. If they are a House of Commons elected to keep down the Estimates, and to save the money of the taxpayers, I call upon them to urge the right hon. Gentleman to take back his Estimates. With respect to the question of these Terminable Annuities immediately before the House, I well remember when this "ancestral" scheme was proposed. It was in the year 1866, in a thin House, on a May evening. However much we all delight in Mr. Stuart Mill to read him, his speeches certainly had the effect of thinning the benches of this House when he discoursed upon ultra-economic topics. Previous to that evening Mr. Mill had started the theory that it was due to posterity that we should pay off the National Debt; and he created a panic in this House by quoting a passage from a book Professor Jevons had written on the probable exhaustion of the coal-fields of this country. The right hon. Gentleman then the Chancellor of the Exchequer (Mr. Gladstone) was very much moved by that speech and that pamphlet; and he proposed what then I could not understand, what very few people did understand, and what was looked upon as one of those arithmetical puzzles that could be comprehended only by ready reckoners like the hon. Member for the City of London and others. In 1866, be it remembered, there was a considerable surplus. In a very long speech—I have since endeavoured to master it in *Hansard*, but I broke down — the right hon. Gentleman proposed these Terminable Annuities. Not a soul would support him. They were opposed by Mr. Hubbard, by Mr. Laing, by the right hon. Member for Oxfordshire (Mr. Henley), who made one of his usual telling, common-sense speeches, which gave one an inkling of what was meant, in which he declared that the scheme was nothing more nor less than a sinking fund in disguise; and by the hon. Member for Brighton—I do not mean the agile Member. These Resolutions were protested against by Mr. Laing, who said at the time that the project was one for fine weather, and that directly a deficiency occurred the whole scheme would break down. And it has broken down. ["No, no!"] Well, it ought to break down. You had a considerable surplus in 1866; in 1871 you have a deficiency of £2,713,000. It is a bad proposition to set off this £2,250,000 which we have in reserve, which is, in fact—and do not let it be disguised under other terms—taxation upon the people; it is setting this aside which renders it necessary to put 2*d.* extra on the income tax. I feel satisfied that if you are to continue the income tax, you must render it more just and fair in its assessment to make it at all palatable. It is quite true that it presses most unfairly upon professional men in contradistinction to the men of property and the professional man will say to the Chancellor of the Exchequer—he will not use classical language—I will call his attention to the poem in the *Anti-Jacobin*—he knows what I mean, the "Needy Knifegrinder"—

> "I give thee 6*d.*! I'll see thee ——"

We have heard very much of Votes of Confidence and of party obligations. Parties are so broken up we never know where men are. We never know that one day may not undo the resolution of the previous day, and I confess that party obligations sit very lightly on me. I like not Conservatives the less, but my constituency more. I feel satisfied that if the Budget is to be passed as it is, the next time the Government call for Votes of Confidence, and threaten a Dissolution, they will not dare to carry out their threat, because I feel satisfied that that majority, whether it be 100, or those 85 confiding creatures who, at the time they voted for the Government, deprecated the conduct of the Government, would disappear. I feel satisfied that, should there be a Dissolution of Parliament, there will be a very great change in the material of this House. I may not return to it; but I think I shall be accompanied in my exile by a great many of my hon. Friends. Of this, however, I am sure, that if we are to maintain the solemn profession of being a Liberal Government and a Liberal party, we must be true to the doctrines we have urged in Opposition; and must not, after condemning the income tax, be now a party to an increase of the suffering of the taxpayers of this great country.

Sir HENRY HOARE said, the continual appeals which were made to the general dislike of taxation placed Members on that side of the House in a very great mess. Hon. Gentlemen opposite desired to circumvent the Ballot Bill, and prevent the proposed abolition of purchase in the Army; but as he had pledged himself to the abolition of purchase, and wished, above all things, to see the Ballot Bill carried, he would not be a party to a Motion which would place the Government in a position of great difficulty, by asking them to take back and revise their Estimates. It was his solemn conviction that the peace of Europe was not worth five years' purchase, and was full of combustible material. He firmly believed that Europe had not heard the last of Prussian aggression. Before six years were out they would probably see her proposing to absorb Holland and annex Denmark, and she would give Belgium over to the French, a proceeding which last year the peace-at-any-price party in this country were ready to go to war to prevent. He denied the accuracy of the calculation of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) that in 1872 there would be a deficit of £2,700,000, and expressed his belief that it would be less than it was in the present year.

Mr. LOPES said, it was with hesitation he intruded himself upon the House on a question of finance; but he hoped he might be permitted shortly to express his views upon the matter now before the House, and his reasons for supporting the Motion of the hon. Member for Finsbury (Mr. Torrens). It was not necessary to allude to the wanton disregard of the interests of the working classes evinced by the Chancellor of the Exchequer when he proposed to impose a tax on matches; to the contempt for the cherished feelings and warm sympathies of the people of this country exhibited in the proposed increase of the duties payable on the devolution of property in the case of the nearest relations; to the silly arithmetical puzzle invented for the purpose of taxing and tormenting the brains as well as the pockets of the income tax payer; nor need he dwell upon the threatened removal of the exemption in favour of agricultural horses. He rejoiced to think these propositions were withdrawn, and he hoped the promise of Her Majesty's Government, that at some future day they would be again brought forward, would never be fulfilled. He remarked that the House was now considering the third financial scheme of the Chancellor of the Exchequer. He was not one of those who were opposed to the total amount of taxation sought to be raised, although he decidedly objected to the wantonly oppressive manner in which the right hon. Gentleman originally proposed to levy it. With reference to a sixpenny income tax, it was not immaterial to consider whether the increased rate would be imposed for only one year, or for a longer period. It should be borne in mind that £1,200,000 would have to be paid next year in respect of the abolition of purchase, and that altogether £2,400,000 would have to be provided for. In all probability, therefore, the deficiency next year would be as large if not larger than it was this. As the Chancellor of the Exchequer could not propose indirect taxes, his only course would be to fall back upon the income tax, which might, perhaps, be increased to 8*d.* He objected on two grounds to the increase of the income tax now proposed by the Government—first, because it was opposed to all the principles of political economy; and, secondly, because it would most unjustly burden certain classes of the people. It would, he thought, be admitted as a principle that in all cases where additional taxation was to be levied, indirect as well as direct taxes should be resorted to. With regard to his second objection, it was most important to consider how the income tax was assessed at the present time. A large portion of the community suffered most grievously under Schedule D. Under Schedule D precarious and casual incomes were charged the same rate of tax that was levied upon realized property under Schedules A and B, a grievance most deeply felt by those who suffered under it, and who asked on what grounds of justice such a state of things could be maintained. A clerk with £300 a-year was dependent, and his family were dependent upon his life and health; but the property of a man with £20,000 in the funds remained after his death for the maintenance of his family, yet both classes of income paid the same rate of tax. It was said that people with limited incomes avoided the hardship of the tax by evading it; but, in his opinion, the evasion was simply due to the fact that the impost was felt to be harsh and unjust. It was clear that one of two things must be done — either the income tax must be diminished, or the mode of assessment under Schedule D must be modified. The Chancellor of the Exchequer last year contended that—

> "The true basis of taxation is equality, because, in the first place, it renders the coincidence more just, and, in the second place, it renders it lighter;"

but the moment the time arrived for putting this sound political declaration into practice it was utterly ignored and contravened. A diminution or modification of the tax on casual income would be more popular in the country than the very remarkable adhesion of the Prime Minister to the unconstitutional principle of female suffrage.

MR. W. FOWLER said, everyone must admit that the House and the country had got into a very considerable muddle. There was a vast expenditure, and no one seemed to know where the money was to come from to meet it. He was not greatly surprised, for he had always felt that the Chancellor of the Exchequer had flung away the corn and the timber duty with rash haste, and he had thereby greatly increased his present difficulties. He agreed with the hon. Member for Waterford (Mr. Osborne) in thinking that the present financial difficulties arose from extravagant expenditure, and would be glad if the Government would take back their Estimates; but, as he took it, they would do nothing of the kind, they must grapple with the question as it stood. Now, he heartily concurred in everything that had been said against the income tax. No man could speak more strongly in deprecation of it than he would, for it pressed the most heavily upon persons whose incomes depended upon their personal exertions, and he never could understand why a man earning £200 a-year by hard daily work should pay at the same rate as the man whose landed or freehold property brought him in the same sum. The Prime Minister and the Chancellor of the Exchequer had condemned the tax over and over again; yet they now asked the House to increase it by 2*d.* in the pound, while all the other sources of Imperial taxation were to remain untouched. Was the position of affairs such as to justify an imposition so unusual and so contrary to the first principles of modern taxation? He thought not. He agreed with the hon. Member for Finsbury (Mr. W. M. Torrens) in thinking that there was no reason to be found on financial grounds to prevent the suspension of the operation of the Terminable Annuities Act. He had himself put on the Paper a Motion on the subject, which the Chancellor of the Exchequer had admitted to be practicable, but which he had opposed on the ground that it would be unfair, unjust, and a breach of trust. He should like to ask, if that representation was correct, who would be the sufferers by that breach of trust? With whom was the contract made? If a man made a resolution in his own mind to transfer so much of his money from one pocket to another, should he be accused of breach of trust if he thought proper to suspend the operation for a time? The Terminable Annuity arrangement was made by the House with itself—by the nation with itself — and it was absurd to say that there would be any breach of trust in suspending it for six months. The Chancellor of the Exchequer had next argued that injustice would be done to savings banks, but every lawyer knew that by the statute the security of the Consolidated Fund was given to the depositors in the Government savings banks; and what better security could they have or want? The hon. Member for the City of London (Mr. Crawford) had argued that if they suspended the Terminable Annuities they would be taking the money of the public to supply the Ways and Means of the year, and also that it would be equivalent to borrowing. He demurred to both these assertions. To cease paying off a debt was a wholly different operation from borrowing fresh money; and it must be remembered that in this instance the only effect would be to cause the Terminable Annuities to expire six months later, unless by economy in the interval the sum withdrawn this year should be replaced. Therefore he could not accept the Prime Minister's definition of the operation which the Motion of the hon. Member for Finsbury contemplated. It really seemed to him, when he reviewed the different proposals of the Government, as if the whole financial genius of the Cabinet had exhausted itself in maturing the tax upon matches, so that, not being permitted to carry out that proposal, they were unable to devise anything else except the augmentation of the income tax. He was greatly surprised to hear the reference which the Prime Minister made to Sir Robert Peel —[Mr. GLADSTONE: Hear, hear!]—because as he understood the facts the annuities in Sir Robert Peel's case were held by private individuals, and not by the nation, so that Parliament could not, without sacrificing the national credit, have suspended the payment of the annuities at that time. The Prime Minister had said that the suspension of the Terminable Annuities was such a beautifully easy operation; that if it were done once they might be sure it would be done again in future, and that such a bad precedent ought not to be set for future days. He replied that the future might be safely left to solve its own difficulties. Let the House do what was right and just for the present, which was its proper business, and the future might be trusted to follow its example. It was also remarkable that, whereas the Prime Minister deprecated interference with the Terminable Annuities, because the operation was such a dangerously easy one the Chancellor of the Exchequer objected to it because it was so excessively difficult, and so calculated to produce confusion. Then they had been told that the present emergency was not urgent enough to justify the suspension of the Terminable Annuities, and the Prime Minister, and the Chancellor of the Exchequer, and the President of the Poor Law Board, were all agreed that the difficulty they had to meet was a very small affair indeed. That line of argument was natural enough in the mouths of men who had never personally known the value of a sovereign; but to the struggling taxpayer, who found it hard enough at best to make both ends meet, the imposition of an additional 2*d.* was very far from an insignificant matter. He looked upon the proposed expenditure of the year in this light—that they were going to devote a large amount of capital to the abolition of purchase, and to the acquisition of stores; and the House would therefore be perfectly justified in saying that they would not extract from the pockets of the ratepayers the whole of that capital, but would meet the deficiency by the easier and juster method of suspending the Terminable Annuities. He had heard it said that they would injure their credit in the eyes of Europe if they declined to carry out the arrangement that they had made with themselves. But there was another view of the matter which foreign nations might take with greater justice, and that was that the people of this country had too much good sense to pay money that was not necessary; and, as had been rightly said the other evening, when the people were willing to be taxed there was hardly any limit to that which they would decline to pay. Those who were opposed to the policy of the Government were again told that they were not anxious for the future of the country; but he believed that the present condition of the country demanded even more consideration. They might have to encounter great disasters; but, on the other hand, they might have times of great prosperity, and who could predict which was to happen? He had no objection in prosperous years to using the surplus of the year for these purposes, instead of hastily taking off taxation; but he did object to treating the system which had been adopted as if it were cast-iron, and not subject to revision. At the same time he could not attach importance to the assertion that the Irish Church Commissioners would suffer if the Terminable Annuities were interfered with, because nothing could be easier than to give the Chancellor of the Exchequer power to use some of the vast amount of stock under his control for the accommodation of the Irish Church Commissioners. The conclusion of the whole affair, in his mind, was this—that the imposition of an extra 2*d.* on the income tax was needless and unjustifiable, and that it would be so considered by the common sense and natural instinct of those who would be called on to pay it. He could discover no flaw in the argument of the hon. Member for Finsbury; and the supporters of the Government would have some right to complain if this question should be treated by the Government as a Vote of Want of Confidence. But, of course, if the Government resolved so to treat it, he could not help it. He did not mean by his vote to disturb the Ministers in their seats, for whatever might be his feelings in regard to them, he actually did not know what other body of men there were in the House in whom he could place confidence. Therefore he should not vote for the Motion of the hon. Member for Finsbury, and he certainly should not vote against it. But he did earnestly wish that the Government would re-consider their present proposal, for he must once more protest against the additional 2*d.* as needless, unjust, and oppressive.

COLONEL BARTTELOT said, that he had listened with great attention and some interest to the speech of the hon. Gentleman who had just sat down, and he must say that he had never heard a speaker arrive at a more lame and impotent conclusion. If the hon. Gentleman, in the discharge of his duty, thought it right to say what he had said with regard to the injustice and hardship of the proposal of the Government, why had he neither the moral pluck nor the courage to give his vote in behalf of those hard-worked professional men whose case he had so eloquently bemoaned? What was the use or object of an able speech, unless it was to be followed by a vote? He agreed with the hon. Gentleman that the arguments of the hon. Member for Finsbury (Mr. W. M. Torrens) had no flaw in them, and for that reason he should most assuredly record his vote in favour of the hon. Gentleman. The speech of the hon. Gentleman the Member for Waterford (Mr. Osborne) was well worthy of him, and was marked by all that versatility and wit which were becoming so rare in the House. But what had been the strain of the hon. Baronet for Chelsea (Sir Henry Hoare) who had followed him? The hon. Baronet had admitted that we were in a pretty mess, and that the proposition of the Government was in no respect right or just; but still as he did not wish to place the Government in a difficulty, he should vote against the Motion of the hon. Member for Finsbury. Thus the interests of the country disappeared before the interests of the party, and those poor, pinched, middle-class constituents of the hon. Baronet when they came to the conclusion of the speech of the hon. Baronet would doubtless appreciate the benefit of being represented by an hon. Gentleman who spoke for, but voted against them. They would also observe that, though on the present occasion the hon. Baronet considered it to be his first and paramount duty to support the Government, he had not hesitated to announce that when the Local Taxation Bill came on he would put the Government to any amount of difficulty rather than support the proposal to take £1,200,000 out of Government funds and to hand it over to the local authorities; so that the hon. Baronet would presently be prepared to change front. He (Colonel Barttelot) should support the Motion of the hon. Member for Finsbury on three grounds—first, that the Estimates were not "transitional" ones; second, that the proposed expenditure was not justified within the course of the year; and, thirdly, that it was unjust to raise the whole sum required by means of direct taxation. Now, the Prime Minister had argued that the Estimates were transitional, because they were going to spend more than £1,000,000 for the increase of the Army this year. Did he intend to imply that next year he should propose the decrease of the Army by 20,000 men? Again, the right hon. Gentleman had said that this year £560,000 was to be asked for the Reserve Forces. Did he mean that next year those forces would not be called out for training? The right hon. Gentleman had also argued in favour of the transitional character of the Estimates by saying that stores and munitions of war were to be purchased to the amount of £1,200,000. But why, he asked, were they to be called upon to pay, in a single year, the whole amount of the deficiency which had been occasioned by the present Administration during the time it had held office? In regard to the £600,000 towards the abolition of purchase, he would have the House remember that only the other night the Secretary of State for War had distinctly stated that he was going to withdraw from the Bill certain clauses, the effect of which would be that they might be called upon to pay £1,200,000 this year and £2,000,000 the next, because officers would be allowed to retire at once, if they pleased. He contended that, even if these expenditures were transitional, they ought to be met in some other way, and not by adding 2*d.* to the income tax. He did not profess to be a financier and to find the way, and although he knew how to spend any money which he might have, he understood nothing about the hocus-pocus, as it had been called, of the Terminable Annuities. But they were told something else by the right hon. Gentleman. The right hon. Gentleman and the Chancellor of the Exchequer distinctly stated that they had nothing else to offer in the shape of indirect taxation, and that statement pointed to this—that on every future occasion when they were in any difficulty, they would make use of the income tax, and the income tax alone, to get them out of that difficulty. He wished the country distinctly to understand this, and it would then be able to judge whether the right hon. Gentleman was carrying out those specious promises he had made when he said that direct and indirect taxation were like two blooming damsels, and that he cared no more for the one than the other, while, in fact he was ignoring indirect taxation entirely. And what did the right hon. Gentleman say about the remission of the shilling a-quarter duty on corn? The remark made by the right hon. Gentleman was an unfortunate remark. The right hon. Gentleman said that the duty on corn—he presumed the right hon. Gentleman meant wheat, not oats or barley—was 4 per cent. [Mr. GLADSTONE: Grain duty, not wheat.] Exactly. That was a very ingenious excuse of the right hon. Gentleman; for the duty on wheat was not 4 per cent, but only 2½ per cent on the present price. It was all very well to make such statements; people did not understand these things, and thought that the price of their food would have been raised by 4 per cent, but he denied it. The right hon. Gentleman went back on the old Corn Law duties, which he (Colonel Barttelot) hoped had been exploded long ago. Now, those on his (the Opposition) side of the House never spoke of free trade now; they were done with it; they used free trade in the very best way they could, and the farmers of this country had manfully done their duty under adverse circumstances. They did not ask for protection; but what they asked for was fair play, and that fair play had not, he thought, been meeted out to them by the right hon. Gentlemen who sat on the opposite benches. Another statement of the right hon. Gentleman (the Chancellor of the Exchequer) had struck him with astonishment, and it was that £1,900,000 was obtainable from the farmers by a tax on horses and waggons. That was a statement which the right hon. Gentleman would not get over so easily as he thought. It would be remembered and reiterated in every market place and on every hustings throughout the country; and he promised him that he would mention it on every possible oc-

occasion; he would menion it because it was an unfair statement; he would mention it because it was an unjust statement; he would mention it because it was an ungracious statement, and came from the right hon. Gentleman at a time when they had done nothing that he (Colonel Barttelot) knew of to incur his displeasure, except that they had asked him to attend to their requirements as to the malt tax, which he said he would, and then he came down to the House and took no notice of them whatever. If he put such a tax on agricultural industry he must put a similar tax on all motive power throughout the country—on all manufactures as well—and then there would be a fair and equal distribution of that tax throughout the country. But he believed the tax was a most unjust and unfair tax. He believed the House had no right to increase and multiply upon the hardworking people of this country taxes to meet Estimates which were not transitional Estimates at all. If they were to put this country in a state of defence; if they were to avoid those panics which the right hon. Gentleman the Secretary of State for War said we were constantly falling into; if we were to expend our money for the general advantage of the country—then the whole of the country, and not one class only, ought to pay for the expenditure. He, therefore, demurred entirely to placing the burden upon the income tax, and he believed that doing so would do those Gentlemen who sat on the Ministerial bench more harm than they could possibly anticipate.

MR. MAGNIAC, in adverting to the course the discussion had taken, did not question the right of any Member to discuss how the money was to be spent. He feared the hon. Member for Waterford (Mr. Osborne) had unintentionally misrepresented the hon. Member for the City of London (Mr. Crawford) in the course of his remarks. He (Mr. Magniac) was unable to endorse the principles of finance laid down by the hon. Member for Finsbury (Mr. Torrens). They were calculated to produce an accumulation of Debt to the disadvantage of the country. The argument that the Debt need not be paid because the creditor was not an individual was based on a most dangerous principle. Debt was debt, however contracted; and the obligation to honour a promise to pay was binding under all circumstances, whether the creditor was an individual or a corporation. [Mr. GLADSTONE: Hear!] Would his hon. Friend desire private liabilities to be dealt with on the principle he had laid down, that money should be paid only when payment became absolutely necessary? The hon. Member for Brighton (Mr. White) had excepted the Americans from the rule he would lay down for us, because the present generation of Americans had incurred the Debt. But he ventured to submit that we enjoyed the advantages which had resulted from the creation of our Debt—not the least of which was our position among nations, and our flourishing commerce. He did not think that our Revenue would be anything like £70,000,000 a-year. The hon. and gallant Member for West Sussex (Colonel Barttelot) made a very strong appeal in favour of indirect taxation, and prefaced his remarks by informing the House that he was not a financier. If he had been a little more of a financier, and had examined the subject with a little more care, and had possessed a little more knowledge of it, he might have arrived at a different conclusion from the one he had arrived at. During the last 15 years the taxation of this country had been £1,100,000,000; and of that sum the proportion of direct taxation had been 34 per cent, and the proportion of indirect taxation had been 66 per cent. From the examination of the Budget of the right hon. Gentleman the Chancellor of the Exchequer, he found that the proportion of direct taxation was 32½ per cent, and that of indirect taxation was 67½ per cent; and, therefore, in order to establish a proper relation between those two sources of Revenue, £15,000 for every £1,000,000 ought to be taken off indirect and placed upon direct taxation. The hon. and gallant Member for West Sussex would, therefore, see that the injustice of which he complained did not exist. The hon. Member for Northumberland (Mr. Liddell) had referred to the charge that had been brought against the Government of having thrown away a large amount of revenue by indiscreetly abolishing indirect taxes; but the hon. Member did not appear to take into account the extraordinary recuperative power of our taxes, which enabled them, however much they might be reduced, to recover themselves in a short time. From 1855 to 1869, £40,000,000 of taxes had been repealed, while only £17,000,000 had been imposed, which would naturally lead to the supposition that there would be a diminution of the Revenue to the amount of £23,000,000. Instead, however, of the Revenue being decreased by that amount, it had actually been considerably increased. These taxes required to be periodically adjusted, to keep them at their proper level. He hoped the House would never go back from the position it had now taken with regard to the payment of the National Debt. The hon. Member for Brighton (Mr. White) had attempted to show that from the increase of the national wealth the burden of the National Debt would be lessened from year to year; but he forgot that from the same cause the burden of taxation would also be lightened. The hon. Member had proposed that we should wait until the end of the century before we attempted to pay off the National Debt; but it was to be hoped that by that time we should have repaid nearly the whole of the Debt. He trusted that the end of the century would not find this country with a large amount of dead weight hanging over it in the shape of a National Debt. The subject of the re-payment of our vast Debt was one which he hoped to see taken up by new Members of the House, whom he knew held strong views with reference to it. On the present occasion he should give the Government his sincere support.

Mr. J. B. SMITH said, he regretted to hear his hon. Friend the Member for Brighton (Mr. White) was opposed to the principle of reducing the National Debt, and was surprised to hear him quote Mr. Mill in support of such views, for he well remembered being seated beside Mr. Mill when, in a debate on the question, that gentleman declared in the strongest terms our moral obligation, not only for ourselves but on behalf of those who came after us, to discharge our share of the National Debt, and he (Mr. J. B. Smith) most heartily concurred in these views; but he was opposed to the method of paying it by means of annuities— or, in other words, by means of a sinking fund. The only rational and sensible way of paying off the National Debt was by discharging a portion of it when we had the means of doing so.

That was the course which had been adopted successfully in America. The American Government had paid off, since the War, $500,000,000 of their Debt, and had thereby extinguished $30,000,000 of annual interest. Had our Government adopted a similar plan we should have extinguished £350,000 per annum of interest on the sum of £10,500,000 of Debt, which the Chancellor of the Exchequer says has been paid off from 1867 to 1871, which would have enabled him to take off the whole duty on coffee, or the duties on currants and raisins. He was one of those who had thought that the Estimates of the Government should have been taken back; and, therefore, he had voted against their being adopted, and also against the Ways and Means by which it was originally sought to provide for the expenditure necessitated by those Estimates. The Government, having taken back their Budget, now proposed to place an additional 2*d.* in the pound on the income tax, and he did not see what more judicious course they could have adopted. Therefore, however much he might differ from them on the subject of the payment of the National Debt by means of Terminable Annuities, he should heartily support them on the question of the increase of the income tax. He thought, however, that while we ought to continue to maintain the annuities now contracted for, we should cease the system of further reducing the Debt by means of Terminable Annuities.

Colonel SYKES reminded the House that when the war broke out between France and Prussia this country was in no position to fulfil her treaty obligations with regard to Belgium, Holland, and Luxembourg, to enable us to meet the eventualities of these engagements. Our Army was increased by 20,000 men, and the question now arose how was the bill to be paid? He objected to the breakfast table of the working man being made dearer by the imposition of indirect taxes, and to the operation of the measure for the reduction of the National Debt being interfered with. The only source, therefore, from which an increased revenue could be derived was the income tax, which forced those classes who were possessed of the wealth of the country to bear a proper share of the burdens of taxation. He thought the proposal of the Government for imposing a sixpenny income tax was a just one, and he would support it. It was said that the increased expenditure for this year was not transitional, and would be continued from year to year; but the precedents of what had occurred during the last 70 years, in regard to the alternate increase and reduction of our military expenditure, threw valuable light on that question. The Returns which he had himself obtained of the annual state of the British Army, and of the annual cost of its effective and non-effective branches during the present century, which he held in his hand, would show how rapidly the country had put forth all its resources of men and money in periods of emergency, and how on the return of quiet times it had almost as rapidly contracted its expenditure and its military establishments. In the year 1815—the year of Waterloo—the total charge was £43,256,260; but on the close of the next year, 1816, we suddenly reduced our expenditure to £13,077,227, and for the following 37 years the expenditure never exceeded £10,000,000; and from 1830 to 1836 the expenditure barely exceeded £8,000,000, and in 1836 it was only £7,940,189. In 1855 the Crimean War raised the Estimates to £28,670,497; but in 1858 they had fallen to £11,577,755. What had been done before, therefore, could be done again. Our military expenditure was now £16,000,000; and we could reduce it £2,000,000 within a very short period. For 36 years after Waterloo there were no Militia embodied, no panics, and the Army Estimates never rose to £10,000,000. Why should we admit that a panic could paralyze us? And how did a panic originate? Why, in a sensational article in a leading newspaper, representing that the country was in danger of invasion; and that article was quoted by the country papers, and repeated by *quidnuncs* in conversations; but the nation at large did not feel any such danger. The Returns to which he had referred showed that under all circumstances of real emergency we had within ourselves a manly spirit, a determined purpose, and the ability to apply our resources with vigour and effect.

MR. SCLATER-BOOTH said, he should regret if pressure were brought to bear on the Government to make them break up a plan for the reduction of the National Debt which had been deliberately adopted by the House on the recommendation of successive Ministries. At the same time he entirely agreed with the view taken by the hon. Member for Finsbury (Mr. Torrens) that an interference with that plan would involve no breach of faith on the part of the House or the country, and that no party to the transaction would have a right to complain if it were given up. View it as they might, the system of Terminable Annuities as now practised was subject to all the objections formerly entertained to a sinking fund. If the Government had been inclined to propose that the sums required for furnishing the forts should be provided, as the forts themselves were, by borrowed money, or that the sum necessary for extinguishing the purchase system in the Army according to their scheme should be provided in the same way, the House and the country would have been put in the same absurd position as it occupied in the days of the Sinking Fund—namely, that of borrowing money for the service of the year, while at the same time they were raising the taxes for the payment of the Debt. For his own part, he would be satisfied if the result of that discussion should be that they did not plunge in a future year into a new creation of those Terminable Annuities. But they had had a plan shadowed forth by the Chancellor of the Exchequer for large operations in the same direction with the vast fund in the hands of the Court of Chancery. Now, although he should be very sorry to oblige any Government to forbear carrying to its issue a measure which had been deliberately and recently adopted by the House, and although he did not think the exigencies of the country were really such as to warrant their going back from that decision, still he had no difficulty in voting for the Motion of the hon. Member for Finsbury, because it did not oblige the Government to adopt that alternative. There were many means at the disposal of the Chancellor of the Exchequer for tiding over his present difficulty. An addition of 1*d.* in the pound on the income tax was quite sufficient to meet the public necessities for the present year. The plan for the organization of the Army had not yet passed that House. He did not see why they should assume that £700,000 would be the charge incurred during the present financial year. It was difficult to tell what the amount for officers' commissions in any one year might be, and there might be great difficulty in fixing the precise sum that would have to be drawn from the Consolidated Fund. The First Lord of the Treasury had told them that they were mistaken in supposing that the 2*d.* income tax would produce £3,100,000 in the current financial year, but, theoretically, the whole of the income tax was to be raised within the year, and that would give £300,000 more than the Chancellor of the Exchequer required. As he felt the Chancellor of the Exchequer would not be placed in a position of embarrassment by the present Motion, he felt no difficulty in voting for the 5*d.* income tax, because he felt how vexatiously that tax bore upon persons of slender means.

Mr. BIRLEY protested against the imposition of a 6*d.* income tax on the taxpayers of the country. A strong objection to the income tax was that it was unequal in its pressure. The tax also was full of exemptions—not only those which were sanctioned by Parliament, but those which some of the taxpayers made for themselves; and the honest payer had to bear the default of the dishonest payer. He had received a letter from one of the most respectable electors of Manchester, complaining that such a proposal should now be made considering that the Chancellor of the Exchequer had last year surrendered £3,000,000 of indirect taxes. That was the general feeling throughout the country, for the tax was everywhere denounced. Though it was not the duty of those who sat on the Opposition benches to suggest any tax in lieu of that now proposed, yet he would observe that taxes on imported articles of luxury were the least felt, and, after them, a small tax on articles of general consumption would press with the slightest weight on the whole of the population. It had been said that the House had rendered the tax necessary by agreeing to abolish purchase in the Army and assenting to the proposed Votes in Committee of Supply. He repelled that assertion most strongly, as he, at all events, had taken a course which rendered that observation inapplicable to him. The hon. Member for the Border Burghs (Mr. Trevelyan) had lectured in Manchester on his scheme during the last Recess, and it had met with some favour there; but that hon. Gentleman did not tell his hearers that the abolition of the purchase system in the Army would entail a heavy increase of taxation on the country. He (Mr. Birley) should like the hon. Member to pay another visit there, and see whether his scheme would meet with any favour now, since it became known that it would entail upon the country a very heavy expense. The Government had brought in an Army Regulation Bill, but had explained no system of retirement; and the House had not, therefore, the means of judging of the efficiency of the measures contemplated by the Government for the military services of the country. He was not satisfied that the plans of the Government would be adequate to secure the honour of the country, for the regimental system, which was almost the only branch of the service which held its own during the Crimean War, was to be broken up. He should be glad if some Member of the Government had explained to the House what were the advantages of this tax and why it was the tax of all others which should now be adopted. If the Prime Minister had been in Opposition and a proposal had been made for the increase of such a tax, the right hon. Gentleman would have denounced it in terms of scathing eloquence which would have rung throughout the country, and the increase of the tax would have been impossible.

Mr. M. CHAMBERS said, the habit seemed to be growing upon this House of debating the same question many times over, and listening Members discovered that they were hearing the same arguments and statements often repeated. Now, this practice of repeating the same thing over and over again was not one to be encouraged. The division of Monday had really decided the question, and he did not understand why it should be discussed once more. He thought that the Chancellor of the Exchequer had acted a fair, a prudent, and a manly part, when he saw that the feeling of the House and the country was against his first proposition in withdrawing it, and in substituting for it an addition of 2*d.* to the income tax. There ought then to have been an end of the matter, particularly when it was remembered that they had now a very limited time to get through the business of the Session. Under such circumstances he was ready to support the Government, although he considered that the income tax was a very bad tax. It was originally introduced as a war tax, and he was of opinion that, except for very great emergencies, it ought never to be resorted to. Now, the successes of Prussia in the recent war with France resulted in making the German Empire, beyond all doubt, one of the most formidable military Powers in Europe, and it was not, in his opinion, unreasonable that we in this country should have, in consequence, been led to look at the state of our defences. Having done so, the Government, in entire conformity with public opinion, proposed a plan of Army organization which entailed a considerably increased expenditure, and the question arose how that expenditure should be met. The Chancellor of the Exchequer produced what he thought a well-planned Budget; but the House did not approve of it. He would suggest that the Government, before proposing a new tax, would be wise to look a little at common things and to talk with ordinary people. They should not keep themselves too high in the world. If the Chancellor of the Exchequer had taken a little advice from that unfashionable quarter, the East-end of London, the match tax would never have been heard of. Many Governments had committed a similar fault by elevating their gaze or looking to a vast distance and stumbling over things lying at their feet. The first Budget was abandoned, and the House had already decided that it was proper to make use of the income tax in order to meet an emergency such as existed at present, and to place the country in a position to maintain or avoid a war which might threaten or occur at an early period. There had been much difference of opinion as to a substitute for this impost; and he believed that if both sides of the House considered the question in a candid spirit they would sanction an increased income tax, supposing direct taxation to be accepted as better than indirect modes of raising supplies. He trusted that after a division had been taken there would be no more discussion on this subject.

MR. WHEELHOUSE said, he wished to call attention to a point which had not yet been sufficiently considered. He had always looked upon the income tax—regarded as a war tax, or a tax antecedent to warlike preparations—as an impost which was placed very unequally upon the different classes of society in this country, and he believed it would never be satisfactorily or reasonably settled until a broad line of demarcation was drawn between income on realized property and income from professional and trade resources alone. The income tax would be neither satisfactory nor reasonable so long as it was continued without regard to the present clear distinction which existed between real property and professional incomes. He never could understand that it was fair or reasonable to tax them both on the same basis, and he suggested that before they imposed an additional 2*d.* in the pound they should first ascertain the best and fairest mode of levying it. It was not because Estimates had been voted that they should be carried out without re-consideration. Even though it were to be admitted that the purchase system should be abolished—and upon that point he would express no opinion —he saw no reason why it should be abolished now. At present we knew nothing about the cost, and might be committed to an expense inconceivably large. Let it be well understood by the people of the three kingdoms that the money which would be required for the purpose must be raised by taxation, extending to all classes of the community, before Her Majesty's Government proceeded any further with this scheme. At present we had something like a deficit, and that surely was not the time for carrying out so costly a proposal. It was not because the House had a Bill before it of a very complicated character that it should hurry to do that which had certainly never been impressed on the mind of the country until an hon. Gentleman, the Member for the Border Burghs, had thought fit to go through the northern parts of the kingdom, and collecting here and there meetings, not always very numerously attended, explained his views as to the abolition of purchase. Up to that time no one asked for it, and, if not, he did not see why the scheme should be pressed on them now. Something had been said about its costing only £600,000 the first year. But he should like to know what it would cost the last? If the country was told what the cost would be it would probably not be so well pleased. He should like to know what we were to expect if, on every occasion like the present, we were to be told that an additional 1*d.* or 2*d.* must be put on the income tax. The abolition of purchase was not an absolute necessity, and it certainly was not imperative that it should be done at a time when there was the approximation to a deficit. He objected to direct taxation being made the camel to bear the whole burden of the national expenditure. Why should not articles of luxury and of foreign manufacture imported into this country bear the burdens of the State? He believed the time would come when we must re-impose duties on articles of commerce, whether imported or exported.

Mr. P. WYKEHAM MARTIN said, the hon. Member for Waterford (Mr. Osborne) had informed the House that party obligations sat very lightly upon him; but he (Mr. Wykeham Martin) was not in a position to make a similar statement. This was the 18th Session he had had a seat in that House, and he could appeal to the right hon. Gentleman the Member for Cambridge (Mr. Brand) and the hon. Gentleman the Member for Shaftesbury (Mr. Glyn) if he had ever failed them on a party or Government division; but really he could not vote for the Government that night, but should support the Motion of his hon. Friend the Member for Finsbury (Mr. Torrens), who had made an unanswerable speech in support of his proposal. If he thought the money was absolutely required for a great national emergency, such as a contemplated war or invasion, he would not hesitate to risk his seat to serve the Government; but he did not believe there was any necessity for the proposed increase of taxation, and if the House were to reject the Government proposition he had not the least doubt they would speedily discover a means of relieving the country from the £1,000,000 out of the £1,500,000 it was proposed to cut off by the Resolution before the House. A fortnight ago, the Chancellor of the Exchequer told the House repeatedly that it was profligate and wicked to tax the people £200,000 more than was required; and if that were so, it was more so to take £300,000 out of the pockets of the people than was absolutely required. He (Mr. Wykeham Martin) understood that of the money that was proposed to be raised £700,000 was to be expended on fortifications. He was told that that sum was to be expended in pursuance of the provisions of an Act of Parliament. When that Act was passed, it was thought absolutely necessary to make these gigantic fortifications; but the state of affairs was different now. Were we certain that, in completing the immense fortifications commenced about 14 years ago, we were not raising up for ourselves another Metz? These fortifications would absorb a great portion of our Army, half of our Militia, and a great portion of the Volunteer Force. He thought, therefore, that the proposed expenditure of £700,000 might be spared with great advantage. He would not ask the Government to postpone their scheme for the abolition of purchase or to postpone the payment of Terminable Annuities, because, in doing so, he would be asking them to humiliate themselves; but if it came to a mere question of a deficiency of £500,000 or £600,000, he thought the Chancellor of the Exchequer had ingenuity enough to be able to raise that money in some unobjectionable way. It was not likely that, after supporting the right hon. Gentleman now at the head of the Government for 18 Sessions, he should vote against him now on any light or trivial grounds. Upon people of small incomes, the burden of this extra 2*d.* on the income tax would be very nearly intolerable, and he hoped that if the Government gained another victory to-night, as he supposed they would do, they would remit some portion of the tax upon small incomes. The idea was not his own, but that of one of the largest banking firms in the City, who had pointed out to him that the burden might be made more tolerable if the exemption now given to people whose incomes were under £199 per annum were extended to people whose incomes were under £300 a-year.

Mr. CORRANCE said, that on a former occasion, when the Chancellor of the Exchequer was pressed to withdraw one item from his Budget by some of his anxious supporters, he had warned the right hon. Gentleman that the withdrawal of one item from his Budget might raise a much larger issue, and that prediction had been verified by the Motions that had since been placed upon the Notice Paper by the hon. Member for Westminster (Mr. W. H. Smith) and by the present Amendment. He gave the Government credit for having framed their Budget with great care and deliberation, and on equitable principles; but the Budget itself reminded him very strongly of a work he had lately been reading, entitled *Ginx's Baby*, which was one of a triplet born of respectable parents, somewhat embarrassed in circumstances. At one point the parallel was not exact, for he did not think this child had been found wrapped up in the columns of the leading print. He trusted also that the future career of the family would be more bright, for, if he remembered the tale, Ginx's father emigrated to avoid domestic troubles, and the baby, after passing through a variety of misfortunes, finally committed suicide over Vauxhall Bridge under the pressure of local taxation. Passing from this. It had been said by the hon. Member for the City of London (Mr. Crawford) that there could not be much distinction between a penny and twopenny increase of taxation; but the question was, whether the extra penny was really necessary or not? The hon. Member for Brighton—[Mr. OSBORNE: Which Member?]—Not the agile one, but the Professor—had made a remarkable speech—remarkable in this respect, that it should have come from that side of the House, in which he had expressed his fear of the influence of the democracy; but that was a point on which they had had many lessons. The present Chancellor of the Exchequer had said on one occasion—

> "Everybody knows that if America were altogether governed by the great towns the result would be most disastrous, and that it is the cultivators of the soil who moderate their influence and keep them from rushing on to their own destruction."

The right hon. Gentleman had made use also of this remarkable quotation from an American source, addressed to Jefferson—

> "It is quite plain that your Government will never be able to restrain a distressed and discontented majority, and the day will come when in the State of New York a multitude of people—not one of whom has had more than half a breakfast or expects to have more than half a dinner—will choose a Legislature."

Another remarkable speech had been made by the hon. and learned Member for the City of Oxford (Mr. Vernon Harcourt), and still another by the hon. Member for Waterford (Mr. Osborne). Both those hon. Gentlemen had talked of panics—indeed, it was often said from the benches opposite that what was done had been done under a panic, and would not have been done without one. But he was not able to admit that that was the case; and though he might have looked for such sentiments from a parochial legislator, he never should have expected them from men of such distinguished position and ability as the hon. and learned Member for Oxford and the right hon. Member for Waterford. [Mr. OSBORNE: I am not right honourable.] Well, from the hon. Gentleman who ought to be right hon. Member for Waterford. The Estimates were not too large if they were to secure the safety of the country, and with that object in view they could not have been less, even if the late war had not occurred. This country should be safe, not only from invasion, but from the fear of invasion, and from the diplomatic insults she had received during the past year. He should almost have been inclined to have sympathized with Her Majesty's Government in the position in which they found themselves, were it not that they had adopted the policy of wasteful remission of taxation. He objected at the time to the remission of the 1*s.* duty on corn, the repeal of which had been of no benefit whatever to the consumer. It appeared that in 1867 34,645,569 cwts of corn had been imported, of the value of £22,102,884, while 242,460 cwts had been exported, the price being 60*s.* 2*d.* per quarter; in 1868, 32,639,808 cwts had been imported, of the value of £20,877,392, against 306,622 cwts exported, the price being 50*s.* 11*d.* per quarter; in 1869, 37,695,828 cwts had been imported, of the value of £17,043,009, against 78,464 exported, the price being 40*s.* 8*d.* per quarter; and in 1870, 31,026,142 cwts of the value of £14,879,335 were imported, against 1,465,685 exported, the price being 52*s.* 3*d.* per quarter. The whole benefit, therefore, of the remission of the 1*s.* duty went, not into the pocket of the consumer, but into those of certain merchants who were engaged in the corn trade. When the remission of that duty was proposed two years ago, he (Mr. Corrance) had opposed it on the ground which had the authority of all great financiers, that a duty of that description was not a tax upon the consumer. The right hon. Gentleman had talked of free trade; but this was not, and never had been, a question of free trade. What right, then, had the right hon. Gentleman to throw these corn duties in their teeth as furnishing an argument? He came now to the great principle of direct and indirect taxation. They all knew that the income tax was intolerable; that no less than £57,000,000 under one schedule escaped taxation; and that under Schedules B, C, D, and E, the remissions amounted to £52,000,000. That was almost conclusive against putting on such a tax as this. With regard to indirect taxes, it had been said that they fell upon the poorer class. He denied that, unless they fell upon articles of primary want. Of all articles of luxury that could not be said. Again, throughout that discussion nothing had been said of the assessed taxes; the whole pressure had been put on the income tax. The hon. Gentleman the Member for Finsbury suggested the propriety of taking advantage of the Terminable Annuities. He well remembered when the scheme of the Terminable Annuities was brought forward by the right hon. Gentleman, and the great authorities by whom it was opposed, among others, by Mr. Hubbard and Mr. Laing. The former had put it thus—

> "Would a landowner, who owed money on mortgage at 3½ per cent, which enabled him to make 7 or 7½ per cent by draining his land—would a merchant, who borrowed money at 4 per cent, and made 8 per cent out of it by extending his trade—would a manufacturer, who borrowed money at 5 per cent, and earned 10 per cent upon it—be taking a wise and prudent course in adopting the straight-laced recommendation to pay off the money they had borrowed, and abstain from making those improvements which would enable them to double the interest they had to pay? This, he concluded, was the way in which the country ought to look at this great question."—[3 *Hansard*, clxxxiii. 1204.]

Mr. Laing had said—"He declined to commit the nation to a prospective payment of indefinite amount out of taxes." To that weight of authority, if they added the names of Earl Granville, Mr. Henley, Mr. Marsh, and other well-informed financiers, it was scarcely possible to admit of further doubt. But, if it were possible, he would turn to the right hon. Gentleman at the head of the Government himself, and take his own account of this financial puzzle, which would explain better than any words of his own the real position which existed. Now, what had the right hon. Gentleman said? He said—

> "That the operation of reducing the Debt would involve a present expense to the country of £550,000, and £748,000 the year after this, leaving £480,000 as the future annual cost, as a charge upon the Revenue until 1885."

Now, he would ask the right hon. Gentleman this—and he begged to request his attention to it—had those anticipations been fulfilled, and was that the real state of the case? [Mr. GLADSTONE: Yes.] Then he thought it a matter of regret that the credit of the country should be so pledged. But the right hon. Gentleman had also said—

> "Terminable Annuities have, I think, very great political advantages. They place the payment of the public Debt to a certain amount beyond competition for the repeal of this or that particular tax, and beyond the caprices and vicissitudes of the finances of any particular year."

Now, was the right hon. Gentleman at that instant so well satisfied at that? [Mr. GLADSTONE signified assent.] Well, then, his satisfaction was not partaken of in the House; and he trusted that, as in such words there seemed to be a loophole of escape, he would not consider himself bound to give them effect. He had detained the House long enough; but his opinion was this—he believed the only good reason then given for that transaction was that they were then unfortunate enough to have a surplus of £778,000. He thought he had said enough to justify the Resolution of the hon. Gentleman the Member for Finsbury and the vote he intended to give in its favour.

MR. GOSCHEN said, the Motion now before the House was really this—"that it is inexpedient that the whole of the additional amount that is required this year should be raised by the income tax." ["No, no!"] He begged pardon; that was Monday's Motion, which was negatived by a majority of 85; but he ventured to say that was precisely the same Motion that was now before the House. ["Hear, hear!" *and* "No, no!"] The only difference he could suggest was that on Monday the reduction proposed was indefinite, while to-night it was a definite reduction of 1*d*. in the pound. Practically, therefore, they were debating over again the Motion which was rejected on Monday last. He ventured to appeal to the candid opinion of the House whether the speeches to which they had listened to-night had not been identical with those of Monday last? [Mr. OSBORNE: No!] Certainly, on Monday they had not heard a speech so amusing as that which had been delivered to-night by the hon. Member for

Waterford. [Mr. OSBORNE: Nor one so convincing.] But it occurred to him to ask whether last Session the hon. Member for Waterford held precisely the same opinions. [Mr. OSBORNE: There was then a different state of things.] There was this difference in the state of things—They had not then learnt the lessons they had now learnt. Those great realities which had since occurred had come home to the heart of the country. They were now proceeding on experience; whereas then they were only dealing with hypothesis. He honestly confessed the state of things was different from what it was in August last, and so was the attitude taken by hon. Gentlemen opposite. Surely it was not to the credit of the House that, as was said by one of his Colleagues on Monday last, they should pass from a state of panic to a state of false security—that they should blow hot and cold, and be shifting their policy with every change in the events of the day. He hoped hon. Gentlemen on this side of the House would do justice to the Government in this respect—they would admit that it must have been with great pain, and after mature deliberation, that they proposed an increase of the Estimates. That proposal was not made lightly, and they were not unprepared to meet many such criticisms as they had heard; but they felt it their imperative duty to face these criticisms, and they would stand by what they had done. In listening to the various speeches, he felt that there was one party who had gained in strength—namely, the economists of the House. Why? Because these debates had shown the immense difficulty there was in the present Parliament in finding the additional money which the House declared should be voted. That was a fact to be deplored quite irrespective of the difficulty the Government had encountered. Only one point seemed to be considered—how to shift the burden; and the suggestion made was to borrow. ["No!"] He was glad it was not so; he trusted they were not going to borrow money to supply the deficit; but as he read the Motion of his hon. Friend the proposal distinctly was to borrow part of the money required. ["No, no!"] Then he could only say the Motion was one on which it was impossible to come to any one consistent interpretation; and, indeed, the speeches to which they had listened rather indicated that to be the real result of the debate. Many of the speakers seemed about to vote in favour of his hon. Friend's Amendment in order to get rid of the Army Regulation Bill—they wanted to get rid of the £600,000, though no mention was made of it in the Amendment. Their object was to defeat the Government by indirect means, while hon. Members opposite could not defeat them by direct measures. To-night they had been addressed by two Members who were the representatives of minorities—the minority Member for Leeds (Mr. Wheelhouse), and the minority Member for Manchester (Mr. Birley). ["No, no!"] Surely, he was right in saying that these hon. Members represented the minorities in those towns because they did not receive so many votes as the aggregate number of those given to the Liberal Members. Few Members for large towns sat upon the opposite side; but they seemed determined to utilize them to-night. ["Oh, oh!"] A good many hard words had been used against the Government, and was he called upon to be mealy-mouthed? There were certain reasons which made hon. Members opposite feel uncomfortable in opposing this additional penny of income tax. [An hon. MEMBER: Additional twopence.] It was not the additional twopence that was opposed for they would vote an extra penny; and therefore it was only the other penny that was involved. One of the objections of the hon. Member for Finsbury (Mr. Torrens) was that additional income tax would pinch the lower middle class. He felt that it was hard that additional burdens should be thrown upon them; and he observed that this statement caused the cheers from the Opposition to subside. And why? Because hon. Members knew what he was coming to. At Chambers of Agriculture they said—"Tax personal property. Otherwise, you cannot reach fortunes such as that of the late Mr. Brassey." ["Oh, oh!"] Had they not deplored the fact that colossal fortunes escaped? They wished to tax personalty. That had distinctly been their policy. But when they hoped to defeat the Army Regulation Bill, they supported the Motion of the hon. Member for Finsbury against the taxation of personalty by making piteous appeals for the lower middle class. Gentlemen opposite had long been making proposals in the Chambers of Agriculture for the imposition of a local income tax.

["No, no!"] Why, he believed that a Motion had lately been passed in an influential Chamber of Agriculture previously to the effect that no Bill on the subject of local taxation which did not tax personal property would be acceptable to the country. It was true that they had not spoken in this strain to-night; they were afraid to do so because it would show their cards. The very men who were for shifting the burden of local taxation on to personal property now supported a Motion against the increase of the income tax. It was unfair that the Government should be held up to odium for seeking to put an additional 2*d.* on the income tax, when for years past the agricultural interest and the Conservative party had been contending that personal property was not sufficiently taxed, and that it ought permanently to bear a larger share of the taxation of the country. He wanted to know what was the great offence of the Government in this matter? It was that they had endeavoured to meet the existing deficiency by taxation. Was that the issue on which they were to divide? Was the issue borrowing *versus* taxation? Upon that issue the Government were prepared to take the division. ["No, no!"] Hon. Gentlemen opposite said—"No, no"; some hon. Gentlemen below the gangway said this was a question of retrenchment. Now, there was no question of retrenchment in the case. If the Government were to accept the Resolution, what guarantee would the economists in the House have that they would get the same support from hon. Members opposite? The guarantee for economy was in the union, not in the division, of the Liberal party. Gentlemen below the gangway were not more anxious than the Government to keep down expenditure. Her Majesty's Ministers had honestly endeavoured to keep it down, and they had been successful for two years. The increase of this year for great objects which the House had supported was not equal to the reductions which had previously been effected. They were as much as ever in favour of economy; but when the question lay between economy and security, they did not shrink from the duty from fear of being accused of proposing extravagant Estimates. He hoped hon. Members below the gangway who were in favour of economy would not think they were furthering their cause by voting with the hon. Member for Finsbury. The issue which he raised was that of borrowing *versus* taxation, and he dwelt upon the great advantage of spreading the payment over a certain number of years, and not charging permanent improvements on the present year. The question, then, was, how was the House to deal with the question of borrowing? There were two ways of dealing with it. It might be contended that if we wished to ease the taxation of this year, we need not borrow the money, but only suspend the payment of the Terminable Annuities. Apart from the consideration of the other questions which had been introduced, he wished to know whether the House was prepared to sanction the interruption of the great policy of paying off the National Debt, for the sake of avoiding one or two millions of taxation, when, through the Terminable Annuities, we had paid off £50,000,000 of the National Debt since the year 1850. The incalculable benefit of that to future generations could not escape the attention of the House. If hon. Members below the gangway could divest themselves of the idea that they were furthering their economical notions by the course they were pursuing, they would support the Government in carrying out a policy to which they attached the greatest importance. With regard to the policy of borrowing, his hon. Friend the Member for Cambridge (Mr. Fowler) had said that what they had got to do was to take care of the present, leaving the future to take care of itself. But surely no Government could be expected to avow or maintain such a policy. The Government would think they had betrayed their trust if they took such a view of the destinies of a great country, and said that "sufficient for the day is the evil thereof." Did his hon. Friend the junior Member for Brighton (Mr. Fawcett) think economy would be promoted if for every outlay we were to borrow money? A man was certainly not deemed economical if he borrowed money, more especially if he charged the repayment on his posterity. There were no more certain means of increasing expenditure than by borrowing from year to year. Take the case of the fortifications. What had made the system under which they were built so exceedingly unpopular? It was because we now felt the burden of the expenditure incurred some years ago—because the principle was not followed out of paying in the year the debts which belonged to that particular year. No Government, he believed, would have the strength to resist the constant appeals for increased expenditure from all sides of the House if they were to propose the easy expedient of borrowing, and say—"We need only care for the present—the future of this great country must take care of itself." The Government were content to take a vote on that issue. They felt it was our duty to think, not only of ourselves, but also of posterity, and to pay off the National Debt as fast and by such means as we could. The expedient of the Terminable Annuities had been very successful, and it would be unworthy of the House of Commons, for the sake of this temporary embarrassment—if embarrassment it could be called—to make an inroad upon that system. One word with respect to Votes of Confidence. It had been said that Votes of Confidence had been constantly asked for by the Government. The fact was the Government never asked for a Vote of Confidence, and, of course, it was not their fault if they opposed the Votes of Want of Confidence which were proposed by others. This was a matter on which he and his Colleagues on the Treasury bench felt very strongly. It was painful to the Government that questions were constantly raised by their supporters which were called questions of confidence. But they felt that there were questions which they could not deal with in any other manner. There were certain principles and matters of duty in which they could only be guided by their own sense of honour. There were points in reference to which they could accept even with pleasure, the views and opinions of their friends, and of the majority of their supporters; but there were other questions of policy which they could not accept, because by doing so they would be carrying out a policy with which they did not agree. Therein lay the difference between independent Members and Members of the Government. If Members of the Government were called upon to do things to which they were in their consciences opposed, it was impossible for them to accept the charge, not because they wished to treat the matter as one of temper or of party, but because they disapproved of the policy. It would not be the duty of a responsible Government to allow the great principle of the payment of the National Debt to be interfered with. They were the guardians of the public purse, responsible for the conduct of affairs, and they must act with a view to considerations for the future which independent Members might be relieved from regarding. They appealed with confidence to Members sitting on their side of the House. They had no temper in the matter. They had no feeling of *amour propre* about it; but it was a matter of great importance to a Government while declaring its readiness to provide for a proposed expenditure in a manner the House would approve of, to avoid the reckless system of first proposing expenditure and then leaving it to their successors to meet. It was upon that issue the Government wished to be tried, and they left the verdict with confidence to the House.

MR. STEPHEN CAVE said, he would not follow the right hon. Gentleman into the speculations in which he had indulged as to want of confidence in the Government, which he had very properly addressed to his own supporters, nor would he enter into any disquisition as to what had been done by Chambers of Agriculture. So far as he could understand from what had taken place in the House, the feeling of the party with which he was connected was, that in the case of local taxation, when large additions were made for Imperial, rather than for local purposes, that taxation should be taken rather from the Consolidated Fund than from local sources. He had risen to support the Motion of the hon. Member for Finsbury (Mr. Torrens)—a Motion which might, on the face of it, mean one of two things, either that the expenditure ought not to be incurred, or that, if it ought, the Ways and Means ought to be raised in some other manner. He would endeavour briefly to examine both these positions, and would merely remark, in passing, that those who held either of these opinions, different as they were, must necessarily act together, and that there was no more inconsistency in their doing so than, for instance, in Roman Catholics and Dissenters uniting for diametrically opposite reasons in the destruction of the Irish Church. We had been told, however, with regard to the first point, that we were committed to this expenditure, that especially hon. Gentlemen on that side of the House had constantly, under the influence of panic, or perhaps from worse motives, been crying out for excessive armaments. Passing over the evident fact that a strong Government need not listen to what it deemed an unreasonable clamour, let him ask what they had demanded, and to what they were committed? They had asked for adequate forces—forces adequate to maintain the prestige of the country—a prestige which, to put it on the lowest grounds, had a money value which would be worth a large expenditure. They had demanded this, he admitted, and they demanded it still. The whole country required it. He thought he had heard it said that the working men did not share this panic, did not want this expenditure, and ought not to pay for it. Well he, for one, did not admit the panic. He did not believe there had been anything which could be properly called a panic; but if there were one thing more conspicuous than another during last autumn and winter it was the keenness with which the working classes felt what they, rightly or wrongly, considered to be the contemptible part which England had played during these great events, and what at least seemed to them her practical exclusion from those European councils in which she was formerly so powerful an arbitrator. Well, where were the adequate forces? We could obtain little information except that we should get them by means of the Bill from which many of the best authorities on military matters hoped so little, and which, at any rate, might take yet many unexpected shapes. This they knew, that purchase and retirement were two gulfs which would swallow up vast sums, and though if we were to begin again we should not adopt this system, which he, for one, was certainly not going to defend on principle, yet why choose the present moment to saddle the country with this in addition to other permanent charges? The Secretary of State for War had said that it was the basis of his re-organization; but he had not shown the House how it was so. But if so, and if this comprehensive scheme had long been contemplated, as it must have been, it should have been provided for by anticipation. If we were to talk of panics, what sort of panic was that which induced us to reduce our preparations when the clouds were gathering, and to augment them when the clouds had burst? Yet this would have been the case had this Army re-organization been caused by the Continental War. He assumed, then, that this scheme had long been contemplated; and, if so, though he did not call the reduction of indirect taxation throwing away money, yet he thought that reduction should have been deferred until these great changes had been paid for. This had gone by, and if objections existed, which he did not deny, to frequent changes of duty on articles of ordinary consumption, yet, in his judgment, the same objection would not apply to the imposition of an additional 5 per cent on all duties. He quite agreed that we ought not to be sangnine in anticipations of revenue. We had had two years of excessive drought; we might have one now of excessive rain. Another year's bad harvest would fall with extreme severity on all who lived by the land. He need not argue against the income tax as a permanent tax. The Prime Minister had more than once shown that the impossibility of making the incidence fair and equitable in the eyes of the people was a very strong objection to its permanent use, and though a rough sort of balance had been contrived by other taxes, the objection in great measure remained. The hon. Member for South Durham (Mr. Pease) talked about the middle class Members of this House being responsible for the expenditure, and being made to feel it. Well, he had already said that he thought all classes were responsible, yet he quite admitted that in another sense Members of that House were responsible, and he hoped they might long remain so; but the middle class was a large class with enormous difference of circumstances between the two extremes. To the hon. Member for South Durham, as to most of the hon. Members of that House, an additional 1*d*. or 2*d*. in the income tax represented an entry in their banker's book; but to the poor, sickly, ill-paid clerk, or the still worse paid curate, it meant the impossibility of taking his family from hot and crowded streets, of which they complained even at the open West-end, to get a breath of God's fresh country air, which would have to last them for 11 months afterwards, and be it remembered when they talked of responsibility that these classes with small, fixed incomes had, perhaps, less political influence than any other. But they were told that the expenditure was in great part transitory, and, therefore, the income tax was the proper burden from which it should be derived. At any rate the Chancellor of the Exchequer did not think so when he introduced his Budget, and though he had been stripped bare he was not ashamed, but still thought his first Budget the best of the two; nor did the President of the Poor Law Board think so when he told the House that the Civil Service Estimates were increasing, and would increase. Therefore, he ventured to think that at this moment of pressure they ought not to make artificial scarcity by employing balances which they might use in aid of the Revenue, in redeeming part of the annual rent-charge which was called the National Debt, to do which he maintained they were under no legal or moral obligation whatever. Talking of panics, the Prime Minister, indeed, once created a panic by endeavouring to prove that this was the duty of Government on account of the prospective failure of coal. This was a valid argument if the facts were true; but they had heard nothing of it lately. They knew, on the contrary, that the great and increasing wealth of the country, not to mention the effect of gold discoveries on the value of money, made the burden of this rent-charge relatively lighter every year. This being so, he hardly thought they were called upon to show such great tenderness for the interests of posterity as to pinch themselves to spare them sufferings which they might never feel. The arguments against tying up money for the benefit of future generations—namely, that they could not tell what might be the circumstances and wants of future generations—were precisely of a similar nature. Long before 1905, when the Prime Minister's operation B was to terminate, even before 1885, when under operation A the first Terminable Annuities were to expire, the republic of the hon. Member for Nottingham (Mr. Auberon Herbert) might have dealt, contrary to his wish no doubt, in a much more summary way with the National Debt. He thought he was quite as entitled to anticipate this as to suppose that the extinction of coal would make the payment impossible. Putting it in any form they chose, there could be no doubt that the Terminable Annuity plan was simply a device to induce the taxpayer to pay more than he need pay every year to the reduction of the Debt. It had been argued as if these Annuities were held by annuitants, living people of flesh and blood, to whom the public faith was pledged. Nothing of the sort; they were mere entries in books. The only reality about them was the additional sum which, beyond the interest due on the Consols they represented, was extracted from the pockets of the taxpayer, and was really a re-payment of part of the capital of the Debt. By converting Consols into Terminable Annuities, they were doing exactly the opposite of what railway companies were now doing to so great an extent for the sake of relieving and steadying their finances—namely, converting debentures into debenture stock. He did not say that in ordinary years this operation of the Chancellor of the Exchequer was wrong. He was quite aware that the argument of leaving taxes to fructify in the hands of the people had been pushed too far; but the reply that the money was not swallowed, but went at once into the market, though perfectly true did not entirely meet the case. The money, especially when raised by income tax, was drawn from a vast number of small payers, who were all obliged to reduce that expenditure which profited those around them. The aggregate sums which went from the Exchequer into the market were more generally employed by capitalists, and by them, possibly, devoted to railways in South America or elsewhere abroad, or to other objects which might or might not indirectly benefit this country. This plan of inducing people—tricking them, to use the word in no bad sense—into paying more of the Debt than they supposed they were paying might have its recommendations. Like the old woman who paid so many pence a-week which she did not miss to a clothing club, and was pleasurably surprised at the amount to which she was entitled at the end of the year, the nation heard with complacency that the National Debt had been reduced so many millions almost imperceptibly. But the result would be far less satisfactory to the old woman and to the nation if they had starved themselves to make the periodical payments. The Terminable Annuities was an expensive way of borrowing, partly because allowance was made for the unfair incidence of the income tax. In this case of mere bookkeeping it was, of course, not so while there was a surplus. But in a year of deficit they did something which was not a mere matter of entry, if they raised for purposes of revenue a sum perhaps not more than their revenue would suffice for, if they did not repay that portion of capital which they were not obliged to do. The moment they got beyond the manipulation of their own books they necessarily incurred the expenses which must attend new transactions, as an illustration only of which he might mention the £1,000 which must be paid for the new match stamp—a sum, of course, utterly wasted, and which it would take the pennies off the incomes of very many poor clerks to supply; whereas by merely making an entry in the nation's books this year, and next, and the year after if necessary, to this effect—to interest so much, to redemption of principal *nil*—they would simply remain as they were, incurring no new liabilities, fulfilling all their engagements, and avoiding expense. Though he quite admitted it was better on the whole when they had laid down a plan like this of the Terminable Annuities to adhere to it, yet if there ever was a time in which it might be reasonably suspended it was when the deficiency was caused by the re-organization of the Army, which changed what had existed for centuries, and which, if it was beneficial, would confer benefits on those who would be here long after they had passed away. But there was another argument. There was before the House a most important Bill, dealing with Chancery funds to the amount of some £60,000,000, by which he understood the Chancellor of the Exchequer would gain some £750,000 a-year, besides the means of creating more Annuities, of which, from his point of view, that they were merely an excuse for increased taxation, he spoke more doubtingly. With this enhanced power of dealing with the principal of the Debt he thought there need not be such great unwillingness to stay for a brief period the repayments at present going on in a similar way. If this were done an additional 1*d*. to the income tax would be ample, and no other tax would be required. The Prime Minister recommended the plan of Terminable Annuities in 1866, because it enabled the Chancellor to borrow from his banking account in order to avoid selling stock in a falling market. Was there not a greater cause now? In conclusion, he thought Her Majesty's Government right in demanding every shilling which the defence and the honour of the country might require. He thought them wrong in pressing forward for the sake, he might say, of mere symmetry the costly project of abolition of purchase, which was not essential to either. He thought them wrong in devising so vast and expensive a scheme as Army reorganization without retaining last year a proportion of indirect taxation to meet it, and, above all, he thought them wrong in supplying the whole deficiency of the year by means of a vexatious, oppressive, unpopular tax, which bore most hardly on the most helpless classes of the community.

Mr. MUNTZ concurred entirely in the remarks of the last speaker as to the desirability of not interfering with the Terminable Annuities, and he also agreed in that respect, and that only, with the First Lord of the Admiralty, who said they ought not to forget the claims of posterity. The right hon. Gentleman had asked then what offence the Government had committed against hon. Gentlemen below the gangway, and what fault they had to find with them. The few words that he had to say were intended as an answer to a challenge which he thought was entitled to a reply. When a Government came into office elected by the people and put into power under certain pledges, he, for one, thought those pledges ought to be maintained. The right hon. Gentlemen on the Treasury bench came into power in 1868 in the avowed policy of "economy and retrenchment." The Irish Church and several other matters doubtless formed a part of the programme; but economy and retrenchment were paraded from Lancashire to London. But what had the Government done since then? They had violated all their pledges, they had coquetted with the Delilah of Conservatism. They had carried measures by the aid of hon. Members opposite in the very teeth of hon. Gentlemen below the gangway, who had, therefore, a right to complain, and had voted with reluctance against some of their measures. And what had happened this Session? They had largely increased armaments and largely increased Estimates. To meet the expenditure the Chancellor of the Exchequer first came forward with a Budget that certainly met with little favour from that House. He (Mr. Muntz) was one of the 41 who, on the night it was brought forward, voted against a tax which he might say was unequalled for its matchless effrontery — the tax on matches. That tax was a retrogression on the policy of the last 25 years, a re-introduction of Excise drawback, and all the annoyances resulting from the taxation of manufactured articles. The right hon. Gentleman said that this tax was to be levied in accordance with the principle adopted in the United States; but that was a mistake, for our Yankee cousins were far too shrewd to tax an article in a manner which would increase the effect of the tax tenfold, but taxed it as it was sold over the counter. That tax would have ruined 150,000 people. Then came the doubling of the succession duty, which would have fallen heavily upon the honest man, but would have been evaded more than it was now by the dishonest man, and would have brought no more to the Exchequer. Then came the new mode of assessing the income tax, a mode which appeared to be intended to teach the country decimals, and now the Government had brought forward a tax of 2*d.* in the pound on income, thus augmenting a tax which pressed so heavily, so annoyingly, and with so much of the character of a nuisance upon the lower middle classes. He maintained, however, that the extra penny was not wanted, and he would show how the 5*d.* tax proposed by his hon. Friend (Mr. Torrens) would amply suffice. The additional penny which he was ready to give would yield £1,500,000. The fortifications mentioned by the hon. Member for Rochester (Mr. P. Wykeham Martin) would cost £700,000, and there could be no occasion for them just at present, for we never had less cause to fear an invasion. All the fortifications, too, at Plymouth, Portsmouth, and so on, might just as well be thrown into the sea. In addition to those sums there were £600,000 which he should take the liberty of voting against when the Army Estimates came to be considered. If it was right to abolish purchase in the manner proposed, they were not bound to pay in a few years for what had arisen in the course of two centuries. That would give £2,800,000, and if that advice were followed there would be no necessity for resorting to any new imposition of taxation. Supposing the £600,000 was not to be had, his opinion was that the Estimates of the Chancellor of the Exchequer fell very far below what would be realized. He understood the right hon. Gentleman the Prime Minister on Monday to make this question a Vote of Want of Confidence; he understood—he should be glad to learn whether his interpretation was correct—that the threat of resignation was held over the House *in terrorem.* No one would regret such a decision more than he should; but it could never be tolerated by the House that hon. Members were never to exercise a free opinion, to hold by that which they deemed essential to the welfare of our common country. He should regret very much to see a change of Government, and nothing would induce him to vote against the Government on this occasion were it not that he believed it to be a duty he owed to his country and his constituents. Believing that, nothing should deter him from doing so.

MR. ASSHETON CROSS said, that if he remembered aright, the Prime Minister said he had searched every precedent, but that there was not one to be found for any Ministry withdrawing a Budget and then remaining in office. [Mr. GLADSTONE dissented.] The first Budget had been practically withdrawn, and yet the Ministry were still there, and his belief was that if the income tax was reduced from 2*d.* to a 1*d.* they would find the Ministry there still, and exceedingly rejoiced at having got out of the difficulty. His principal object in rising, however, was to ask for explanation of a statement made by the President of the Poor Law Board in his speech the other night, when speaking of indirect taxation. The right hon. Gentleman said that it would be a great question what indirect taxation should be taken off for the future, for that when indirect taxation was once removed the alternative would be an increase or the suspension to the extent of the amount required of the payment for the reduction of the National Debt. Were they from that to understand that the policy of Her Majesty's Government, in case we required any exceptional or traditional expenditure, was in future to resolve itself into this alternative of an increase of the income tax, or a suspension of the payment of the National Debt? It was a question of the utmost importance, and required their most serious consideration. The First Lord of the Admiralty had stated, in effect, that the only alteration, under present circumstances, to the income tax was the suspension of the Terminable Annuities. Now the constituencies of large towns were certainly of the opinion that the incidence of taxation should remain as at present; and he would remind the right hon. Gentleman that in the North there were a large number of owners of real property, although they were of humble means; so that the question was really not one between real and personal property, but between the rich and the poor. He also wished to point out that, seeing that the so-called constitutional expenditure of this year for the Army Bill was £600,000, and that it was to be next year £1,200,000, it was the bounden duty of any Gentleman that had to propose such a scheme, to bring in with it some well-organized and comprehensive scheme of finance to meet it. The truth was that the transaction would only go from great to greater, and the Government had never told them how great it might be. He protested, therefore, against the notion that the whole of such expenditure should be placed on the income tax alone, whereby it would press most heavily on that class of the community that was least able to bear it. He had one word more to say. A great deal had been said with reference to the Terminable Annuities that had little to do with the question. The point really was this. If they omitted from their calculations the sums necessary for the Terminable Annuities, it would be proper that the amount required for the Army Bill should be met by a scheme of taxation spreading over years; and as for the sum required for the reduction of the National Debt, it ought, beyond all dispute, to be levied with the most scrupulous exactness over all classes of the community. In regard to the extra 2*d.* of the income tax, if the Government persisted in refusing to listen to the suggestion of the hon. Member for Finsbury, it would be said of them—

"Νηπιοι ὀυκ ἰσασιν ὁσον πλεον ʽημισυ παντος."

MR. TREVELYAN said, that the hon. Gentleman had just asked some questions about the abolition of purchase that called for an answer, which Gentlemen in that part of the House could give quite as well as the Government. Hon. Gentlemen opposite did not appear to like the Army Regulation Bill, and he assured them that what had occurred in the House during the last fortnight had made him, and those who felt with him, much more indifferent about the measure than they were formerly. The Bill was not a Bill for abolishing purchase, but simply a well-devised machinery for insuring officers of the Army against the injurious effects of economic reform. No one who had heard the speeches of the last few days could doubt that economic reform on a very large scale was coming. Did hon. Gentlemen believe that whether purchase was abolished or not the country would submit for ever to maintaining one regimental officer to every 31 men, and allow the Army to be swamped with 580 generals? He assured hon. Gentlemen there would not be a town of over 20,000 people in the whole country which would not be made acquainted, in the course of the autumn, with the real meaning of the debates of the past week or two. The secret of administrative extravagance was to be found in the large salaries obtained by the influential classes with which no Government had yet ventured to deal. The Government knew very well that when once these salaries were cut down, as far as the Army Estimates were concerned, the price of commissions would fall. Officers knew they had a good bargain in the Army Regulation Bill, and when they read certain announcements on the Notice Paper they might clearly discern this was the last year the over-regulation price would be offered them. It was not, therefore, in the interest of his own political friends that the Army Regulation Bill should go on, but in the interest of those officers in whose behalf the Opposition had spoken. He believed and hoped that, after the lesson the Government had received, they would begin to deal with all the great sinecures, the Lord Privy Seals, and Junior Commissioners of Inland Revenue just as they had dealt with the clerks in public offices and the dockyard labourers. And in return for the votes the Government would get from below the gangway, he trusted that Ministers would use every effort to press forward those great measures which had been urged upon them during the past two Sessions, and show as much energy for the welfare of Great Britain as they had displayed in behalf of the regeneration of Ireland.

MR. COLLINS, agreeing with the principle on which the Budget was framed, desired to explain why he did not intend to vote for the Government. If that money was necessary to be raised, he knew of no better means of doing it than those now proposed. He would not refer to the match tax that had been already everywhere condemned; but they had been told that the question of increasing the succession, probate, and legacy duties, though withdrawn at present, was to be again brought forward at a future period for their dispassionate consideration. Now, he ventured to say that a more iniquitous impost than the present succession and legacy duties did not exist on the Statute Book. They taxed the whole personal property of the country; and whilst upon real property the burden was comparatively slight, on personal property the duties varied from 3 to 12 per cent. He was astonished that a Chancellor of the Exchequer should have the effrontery to make such a proposal for increasing them. For himself, he could not have sanctioned any addition to the tea or sugar duties, because he thought it would be very unwise, for the sake of meeting a temporary exigency like the present, to lay increased taxes on the necessaries of the poor. Neither could he agree with those who said that the £900,000 which had been remitted upon imported corn was money thrown away. If, therefore, there was to be any increase of taxation, it could not take a better form than a 6*d.* income tax. But he objected to any increased taxation at all. The late invasion panic had been artificially stimulated by the newspapers, which had nothing else to do in the long vacation but to write warlike articles, and by that means an unhealthy public opinion had been created, which had induced the Government to bring forward those extravagant Estimates. He hoped the Government would re-consider their Estimates and their Budget, which they might fairly do, considering the altered state of affairs on the Continent—for there was that loophole open to them. The country was not in favour of increased taxation; it was a mere newspaper cry; and any necessary expenditure consequent upon it should be placed not upon the poor, but upon those who had excited the cry.

MR. GLADSTONE: Sir, there is no doubt that by the importation of foreign topics any field of debate in this House can be made sufficiently wide; but I think that the issue before us this evening, if we look at it calmly, dispassionately, and as men of business, is a narrow one. Foreign topics, on this occasion, are nevertheless topics in themselves of great importance, which we have had, and which we shall again have, an opportunity of discussing with propriety and advantage, and I hope I may be permitted to say without offence that topics relating to the public expenditure are, when the House is upon a question of Ways and Means, strictly and properly foreign topics. I trust I speak in the hearing of those whose memory will enable them to correct me when I say that every effort and every declaration, come from what quarter or what side of the House it may, which tends to the reduction of the public expenditure, has always been met on my part—I speak for myself, and I might say likewise for my Colleagues whether we could agree with it or not—with respect and also with sympathy. To those sentiments I fully adhere. But I venture to point out in the utmost seriousness of mind that there cannot be a greater mistake on the part of the friends of economy and retrenchment than the urging of economy and retrenchment with reference to Motions which relate to the means of providing for charges which the House had already voted. If the House of Commons is to pursue this course—if it is in the first instance to vote unanimously, or to vote with very small minorities, charges which are recommended by the Government in Supply, and, if when we come to the means of meeting those charges, combinations are to be formed with those whose only complaint, so far as the Estimates are concerned, has been that those charges were insufficient—if these combinations are to be formed with the effect of producing powerful demonstrations, not in favour of retrenchment nor in favour of the reduction of the Estimates, but against the means of meeting the engagements which the votes of this House have created, the result will be not the diminution of the Estimates, not their withdrawal, not the reduction of the expenditure, but the sliding unawares into the fatal system of meeting every temporary want by the ignoble source of borrowing, in disregard of the principle which every sound, every salutary—aye, and I venture to say every ancestral maxim of prudence has made us adopt and take delight in adopting—the principle of regard for the future. But what says my hon. Friend the Member for Waterford (Mr. Osborne)? Why, that he yielded to no man in regard for the future. [Mr. OSBORNE: I did not say so.] I thought I heard my hon. Friend say it to-night? I must say that in general, where others are speaking, my hon. Friend is not remarkable for that close reticence now evinced by him. But my hon. Friend has to-night adopted a line of argument which in itself commands from me a considerable sympathy. He wishes to hold the Ministry to very strict rules of action, and no doubt he will apply them with even greater rigour to himself. He says, for example, that I spoke of what it was the pleasure of the country to spend from year to year, and then he put it to me—"But what is it your pleasure to spend?"—as if it were a matter of duty for me to exact as a condition of holding office in this country that the whole expenditure of the State should be adjusted and squared according to my private opinion. No doubt there would be something of a magnificent Egotism in the adoption of such a rule, as for an individual, be he who he may—be he the greatest who lives or who has lived—to undertake to say in a country which boasts of being self-governed that he will not contaminate himself by touching the helm of public affairs unless all matters of pounds, shillings, and pence are referred not to the people at large, but to his private conscience and understanding. I have never acted upon that principle. I leave it to the heroic elevation of my hon. Friend to revive the age of chivalry in that and every other respect. I confess I have always thought it my duty to conform to what I find to be the determined inclination of the people in that respect; but, at the same time, as far as depends on my individual action, to spare no effort and sometimes even to strain a point for the purpose of checking the inclination to expenditure. But my hon. Friend had another charge against me, and said I laid the responsibility upon the House of Commons. I never laid upon the House of Commons the responsibility for the purpose of exempting the Government. In Lancashire I contended that the Government of the day were responsible for the expenditure of the time, and I do not think they will allege that any portion of the expenditure they adopted was forced upon them by the Opposition of that day. I think that it is my duty to say that there is, from time to time, a great, a most unhappy tendency—I will not say in this House as a whole, but in portions of this House, in portions and sections of this House, in individuals of this House—to press expenditure on the Government, and to appeal to excited public feeling. I heard very sound doctrine from my hon. Friend to-night opposing a Vote in Ways and Means. He manfully went to the root of the matter, and said—"The mischief is in an excessive expenditure." Yes; but how long has my hon. Friend held that lofty strain? How long is it since he alarmed us with a forgotten saying of Napoleon about the possession of Antwerp? How long is it since he endeavoured to inflame to the uttermost the sentiments of the people at a time when they were naturally excited? He speaks to-night of economy. What did he say last July?—the question then not of meeting a charge, but of incurring one. The doctrine which I laid down with confidence is this:—Be economical, be restrictive, I will not say be obstructive, but, at any rate, be firm when you are incurring a charge; but in meeting one which you have incurred, pray remember the obligation you are under. When the question was of incurring a charge my hon. Friend was liberal enough; aye, not only liberal in respect to the question then under consideration, but liberal to the extent of condemning severely the previous economies, and with a greater freedom of language than he has found it necessary to use to-night. On the 18th of July, 1870, a question arose in Supply on the Army Estimates, and what said the hon. Gentleman? He said—

> "Here we are on the eve of a great European war [Mr. OSBORNE: Hear, hear!], and we are

unable to play our part in Europe, because we have got into such a muddle with our 'cheap and nasty' system."

[*Cheers.*] I am cheered from the other side of the House; but I make no complaint whatever, for those cheers are perfectly consistent with the conduct pursued in former Sessions, and with everything except certain pretensions that have emerged from time to time in the course of this debate. On the part of my hon. Friend what it amounts to is that the reductions effected by the Government in 1869 and 1870 were not only not wise and politic measures, but deserved to be condemned by some of the most unsavoury epithets in the vocabulary that my hon. Friend can command. [Mr. OSBORNE: Hear, hear!] Let us now come nearer to the question. I have thought it necessary to refer to the subject of expenditure for the purpose of showing hon. Gentlemen that if I put it aside from discussion to-night, it is because I do not think that this is the particular occasion on which it ought to be further and minutely pursued, for I am confident that as on the one hand there is nothing so certain to drive us into a system of borrowing as the practice of making an effective resistance to the plans of the Government, not in Supply, but upon Ways and Means, so there is nothing like the system of borrowing for striking a fatal blow at every hope of public economy. I must own my regret at this debate. I am not aware of any point in the question before us that has not been thoroughly sifted and investigated. I do not think it answers the purpose of the majority of this House to spend unnecessary time upon the remaining stages of the financial proposals of the Government. We have other work to do. There are great measures of legislation before us. I will not speak of all those which have been introduced into this House; but I speak only of those which have been read a second time. These are great measures of legislation which I believe command the approval of the majority of the House, and it is the firm intention of the Government that if these measures fail at least it shall not be through our fault or our neglect. To spend time on matters which this House has fully debated and which have been supported by large majorities may be very suitable to the purpose of those who conscientiously and honourably disapprove of our legislative intentions; but if time is so to be spent, and obstructions are so to be interposed in the way of the prosecution of those great public measures, I wish that the responsibility of that obstruction should rest with the true opponents of those measures, and that they should not be enabled to find an instrument for their purpose in the excellent intentions but misguided conduct of those who sit on this side of the House. I hope to be excused for pointing out what I believe to be the certain effect of the indefinite prolongation of the debate upon a point which is not complicated, which does not involve a great amount of detail, and on which the House has decided by a very large majority. In one respect I may offer my thanks to my hon. Friends, for they have given me a pleasure which, from the nature of the case, Members of this House can very seldom enjoy—namely, the pleasure of cheering their own speeches. I have heard much in the course of this discussion of my speech on Terminable Annuities, and since I appealed to hon. Members for some reference I have found this speech so entirely conformable to prudence, experience, policy, conviction, duty, and everything else that it is satisfactory that I am extremely pleased with the opportunity of doing what is called "responding," meeting them with a truly sympathetic cheer when my words have been quoted in the speeches of my hon. Friends. At the same time, I have found them really refreshing when compared with the context. Without referring to the points involved in those speeches, let me allude to a matter on which the hon. Member for Finsbury (Mr. W. M. Torrens) thought he had a very strong ground for objecting to an argument which I used. He said he heard me with amazement refer to the conduct of Sir Robert Peel in 1842, when I urged that Sir Robert Peel, having a great deficiency to supply, and having no means of supplying it from any tax then in existence of which the principle was admitted, had better seek a new tax on which the principle was not admitted than to suspend the Terminable Annuities. My hon. Friend says he was amazed, and no doubt he was; but, at the same time, I venture to tell him that his amazement was owing rather to his unacquaintance with the practical nature of this question, with the intricate machinery wisely provided by our law to prevent abuse in matters of extreme delicacy and importance, and with the processes to be pursued. If my hon. Friend were to induce the House to give him a majority to-night, the process which would have to be pursued with respect to the Terminable Annuities would be precisely the same which Sir Robert Peel must have adopted had he done the same thing. My hon. Friend says the Annuities are in the hands of private persons. Undoubtedly they are, but it makes no difference; for if you suspend the Annuities a Bill must be brought before Parliament. If Sir Robert Peel had wished to suspend the Annuities, he would have had to say—"I am every year paying the owners of the Long Annuities £2,000,000 or £2,500,000 which is not interest, but a return of capital. I ask you to give me the means of replacing that money in the Exchequer." That would have been exactly the same as if my right hon. Friend were to say to the House—"I ask you to give me the power of taking out of my banking till a certain sum of money and transferring it to the till which it is my business to keep at the Exchequer." In neither case would there be the slightest discretion. Ten years ago my right hon. Friend might have done it; but I thought it part of my duty, and the House concurred with me, to abridge the power of the Finance Minister of this country, and to prevent him from adding to the permanent Debt of the country without the consent of Parliament. It is idle and futile to inquire who was the claimant; the question is not who is the claimant, but what is the claim? The claim is exactly the same, whether you pay the Savings Bank Fund or whether you pay the charge on the market. In either case the machinery would be exactly the same, so far as regards the necessity of coming to this House for the authority to borrow. The only difference would be that in the one case you would borrow from a fund which by law is placed under your custody; in the other you would have to borrow from the Bank of England the exact amount that you had to pay, that being not the interest, but the capital of the debt. So if he pursues his studies on that head he will find that the point he insisted on with such strong argument is perfectly visionary. Some Gentlemen seem to think that they have reason for voting for a project of this kind, on the ground that, by the machinery afforded under the Terminable Annuities Act, it is perfectly free for the Government to find this money. I am very glad to have seen, since I last spoke on this subject, the language quoted which I am supposed to have used in reference to it. I abide by every syllable of what I stated, and I say again that when a deficiency has occurred, and when your balances do not admit of your supplying the deficiency out of those balances, you have then in this banking fund under your control a most convenient form of supplying the cash you want, instead of injuring the public credit by going into the public market. That is a clear, natural proposition; but it has nothing to do with encouraging the Chancellor of the Exchequer to come forward upon a prospective deficiency, and to plead that by this machinery the cash might be found in a more convenient way than in any other. The question of prospective action and the question of retrospective action are very different things. On a former occasion I understated my case when I said that this system of paying off the Debt by Annuities was more than 100 years old. It was more than 100 years since it was established in its amended form; but the original scheme existed from the time when a National Debt existed in this country. And why are we now to depart from it? Is the country in a state of extraordinary difficulty and incapacity to pay? It is proposed that, in view of the present necessities, the income tax should be raised to 6*d.* in the pound. Is that an unheard-of rate? Why, the original rate was 7*d.* in the pound, and it remained so from 1842 to 1854. The general effect of the changes made in the rate since 1854 has been to make, within the merest trifle, the average rate from 1842 to the present day 8*d.* in the pound. That certainly is no reason why we should raise the income tax to 6*d.* without necessity; but it is an argument against the extraordinary complaints and the marvellous effusion of compassionate feeling which proceeded from hon. Gentlemen opposite, who sat with patience and entire resignation, and in a state of silence as complete as if nature had not gifted them with the organ of speech, when the same proposal of adding 2*d*. to the income tax was made in 1868 upon a smaller deficiency. Now, I come to the flimsiest pretext that was ever heard of in this House. The right hon. Member for Buckinghamshire (Mr. Disraeli), admitting that the then Government raised the income tax to 8*d*. in the pound, said that the reason was because that was a war tax; and the tax now proposed is not a war tax. Do you suppose that the war contemplated was the Abyssinian Expedition, involving a charge on the resources of the country of about two millions of money? A war tax means a tax making such demands on the resources of the country as cannot be met by the ordinary means of the country. The amount of the income tax is measured by the amount of the deficit. The deficit on which the right hon. Gentleman obtained the tax was £2,200,000. The present deficit is £2,700,000, and the right hon. Member for Buckinghamshire is not ashamed to say that his was a war tax, and that this is not an occasion of war. If the right hon. Gentleman had then known what he ought to have known, the amount of the expenses of the Abyssinian War might have been differently levied. The right hon. Gentleman had a deficiency of £2,200,000, and to meet that he asked for an income tax of 2*d*. in the pound. I wish to show to the House the use of Terminable Annuities in reference to the reduction of the National Debt. It is commonly believed, and it is true, that in this country we have two instruments by which we operate on the public Debt with a view to its reduction—namely, the application of the annual surpluses, and the re-payment of capital through the medium of Terminable Annuities. What I wish to bring to the mind of the House is that in the view of the Government the question comes to no less than this—That, when you impair you prepare the way to destroying altogether the system under which we alone reduce the Debt. As I have stated, there are two instruments for the reduction of the Debt—that which consists in the use of surpluses in the purchase of public securities, and that which operates through the medium of Terminable Annuities. I have not been able to look through any series of years further back than 1850, and that is a series of 21 years; but I believe if we went back further the effect would be exactly the same in substance. I beg hon. Gentlemen to pay attention to the figures which I will lay before them. They are extremely few; but I believe that they will speak most eloquently and instructively. I will not guarantee their minute accuracy; but I will guarantee their substantial correctness. From the 5th of January, 1850, to the 31st of March, 1871, there was £31,705,000 of surplus income over deficiencies. The amount of the deficiencies during the same period was £42,903,000. So far, therefore, as your annual operations were concerned, the effect of your proceedings during those 21 years has been that you have incurred a balance of deficiency to the amount of £11,198,000, adding (somewhat less in consequence of certain items of reduction) £10,250,000 to the National Debt. Now, that is the net result of your operations of 21 years, so far as the use of annual surpluses and deficiencies are concerned. That, I think, is a most grave fact. Well, I ask you, do you mean to act upon the National Debt or do you not? Do you mean to say that, posterity having done nothing for me, I will leave posterity to shift for itself and to devise its own expedient? If you do, then why do you not say so plainly? Why have you not the courage to express your opinions openly and give effect to them by laying on the Table a proposition embodying that intention? But do not, by a circuitous operation, seek to undermine the public virtue in the House of Commons whilst endeavouring to disguise from us the ends for which you are working. Let us know at once the policy we are to meet. Such is the result of our operations as regards annual surpluses and deficits. Therefore I am not ashamed of the words which have been quoted, and in which it seems I had at one period of my life good sense enough to say that it was the merit of the system of Terminable Annuities that it took the payment of the National Debt out of immediate competition with those momentary motives which determine the finance of the year. What are these momentary motives? Sometimes the existence of a deficiency. Sometimes the unpopularity of a particular tax. Sometimes the combination of party. From all these, down to the present hour, the system of Terminable Annuities has been quite exempt. What has been the effect? So far as your annual operations are concerned, you have, in those 21 years referred to, contrived to add £10,250,000 to your National Debt, and during the same period you have redeemed by means of this despised system—this hocus-pocus system of Terminable Annuities, as the right hon. Gentleman the Member for Buckinghamshire described it—£49,000,000. Sir, I admire the lofty genius of the hon. Member for Finsbury, who has no better name for the wise and prudent device of those who went before us for the purpose, as we may say, of securing us against ourselves. And he invites us to take this first step, and to set this first bad example, supported by a Conservative party—a party whose boast it used to be that they looked into the future; a party who used to condemn any resort to the sentiments and language of the demagogue, and who were always exhorting people to set aside considerations connected with the moment and to think rather of the permanent institutions and the permanent interests of this great country. Such, then, are the auspices under which this attack upon the Government is now made. Under the operation of the present system, while £10,250,000 has been added to your Debt, £49,000,000 has been steadily redeemed, and the consequence is a reduction of Debt to the amount of nearly £39,000,000, of which reduction you would not have had a single farthing if the temper of mind and the combination of circumstances which now appear to exist had influenced this House 22 years ago, and if men so disposed had been able to do what they could not do then, and I am sure will not be able to do now—persuade the House of Commons to enter into their views and share their delusions. My hon. Friend said it was too bad of the present Government to bring forward so many Votes of Confidence. Now, I was really weak enough to believe that there was something in the answer of the First Lord of the Admiralty when he stated that we did not bring forward any Votes of Confidence at all. We had no desire for such votes. We wished to lead a peaceful life—[*a laugh*]—of course under due control and scrutiny from Gentlemen, in whatever part of the House they may sit. Our object was to be permitted to go quietly about the business of legislating for this country, which is at the present time difficult enough, and for which this House as a whole, and in particular the majority of this House, are responsible. We wanted no Votes of Confidence at all. But is it meant that when, by a method of proceeding entirely unusual, so far as I am informed, the hon. Member for Finsbury requires the House on Thursday to overturn a vote which it gave by a very large majority on Monday, and which on Monday we declared to be a vote incompatible with our honour and our existence, we are on this Thursday to change our minds and say we are perfectly willing and content to walk in any direction whatever which he may be pleased to point out? I am not making my hon. Friend responsible, because I think he challenged the question fairly; but I am speaking of the argument, without the least personal reproach. I am frequently taunted with changes of opinion. I see a noble Lord opposite, who upon no occasion, if he can find the opportunity, avoids that favourite subject. His Muse is more propitious if he can possibly find means of reference to my changes of opinion. I will not retort upon the noble Lord, though, perhaps, I might do so with effect, by inquiring anything about his changes of opinion. But this I must say—I was reared in the ranks of what was then the Conservative party under Sir Robert Peel. When I belonged to that party there was one happy circumstance in the condition of the country, and I trust that that state of things may again be realized. Probably it will not be in my time; but I have reached a period of life when, looking forward to what may happen a very few years hence, I feel I can regard it with a complete personal impartiality, and I venture to express the firm hope that, irrespective of the question of political denomination, the time is again to return when the two parties in this House will, as they did from the time of the Duke of Wellington to the time of the Crimean War, vie with one another in the endeavour to apply to the public expenditure those principles of strict thrift and husbandry which I venture to say never can be effectively supported as long as they are the peculiar property of one particular party. I trust and believe that time may return. I may be very wrong; and when I see men like my right hon. Friend (Colonel Wilson Patten) take the course which he is pursuing on this question, I am bound to believe he is doing what he deems to be for the true interests of the country. Will he permit me, with great respect and with no excitement, to say, referring to a more distant future, that he and those with whom he acts are preparing for themselves, in the day when their political predominance may come about, a Nemesis the character and intensity of which they do not seem to be at all aware of. However that may be, the present Government is perfectly and entirely determined. What we have said as to the reduction of the National Debt we have said with earnestness of purpose—free from any idle love of consistency, but standing on the basis of facts such as those which I have pointed out to you—facts which indicate that by this method alone in the long run have you operated upon the capital of the public Debt, and succeeded in doing something for futurity. Sir, we will steadily refuse to lend ourselves to any attack on this system, in whole or in part, in action or in words, either by a positive declaration that for purposes of momentary convenience it is well to break down this admirable device, or still more by Motions which are not positive, which are not outspoken and do not reveal the purpose or disclose the end to which they are infallibly tending, but which go to that same end, and are aimed, as we think, at the very foundations of true financial credit and of public and national prosperity.

MR. DISRAELI: Mr. Speaker—I concur with the right hon. Gentleman that, as a general rule, it is inconvenient to discuss expenditure when we are in Committee of Ways and Means. Generally speaking, the Estimates of a Government are prepared with great care, great information, and arrived at after mature consideration. When those Estimates are ascertained it becomes the duty of the Chancellor of the Exchequer to consider the Ways and Means which may provide for this expenditure. That, no doubt, is an affair of time, anxiety, and deep thought, and the results of his labours are frequently and conveniently submitted to his assembled Colleagues, who ultimately decide upon his provision with all the authority of a Cabinet, and with that sense of responsibility which is the best guide of statesmen. When, therefore, the House of Commons have voted Supplies, and when they have become acquainted with the well-matured Ways and Means of a Minister, generally speaking, under such circumstances I cannot conceive that it would occur to anyone to challenge the expenditure of a Government in a Committee of Ways and Means. But the circumstances under which we are now called upon to consider Ways and Means are of a peculiar if not unprecedented character. We are to-night to consider Ways and Means which only 10 days ago were denounced and decried by the very Minister who now proposes them. It is very well for a Prime Minister, under ordinary circumstances, to refer to the sublime etiquette on which he has taken his stand to-night, and to treat as profanation the House of Commons in Committee of Ways and Means referring to the expenditure of the country. But when I remind the House that the Ways and Means before us consist of a single tax, the levying of which is viewed with the greatest jealousy and anxiety by the people of this country—encouraged in their conviction by the frequent and recent declarations of the Ministry themselves—is it wonderful that when such propositions as these are placed before us we should ask ourselves, in duty to our constituents, what is the necessity for a proposal so monstrous which they themselves have proscribed, and how can we possibly arrive at any conclusion unless we refer to the expenditure which they have called upon us to incur? The right hon. Gentleman says the expenditure has been already voted; but he is not accurate in making that statement. There is, at least, one item, and one most important item, in the expenditure that has not been voted by the House. It is the item which refers to the re-construction of our Army, and that, I think, is connected with a series which may involve the House in an expenditure which it is impossible at this moment to estimate. Let us remember, also, that during these few eventful days we have had, in the discussions that have taken place, important declarations made by Ministers, which must be taken into account in dealing with this subject. It is only three or four days ago that the Secretary of State for War, in answer to an ordinary Question, and at a time when the attention of the House was scarcely given to the course of Public Business, made an announcement that after due deliberation the Government had decided that there was to be no limit whatsoever with respect to the retirement of officers from the Army, the idea that there was to be a limit having, in the first instance, greatly influenced the discussions on the subject. It was, however, only in the course of a casual communication, given to us with his usual blandness by the right hon. Gentleman the Secretary of State for War, that we arrived at the real truth in the matter. When he made it everyone felt that a new element had been imported into the question, and that the very item asked for the purposes of the Army Regulation Bill this year might be increased in consequence. Well, what is the declaration which we heard from another Member a few evenings ago? The President of the Poor Law Board (Mr. Stansfeld)—an eminent professor of sententious finance—told us that the Government had determined that in future all expenditure should be supplied by means of an increase in the income tax unless we were in a state of war, when, I suppose, the whole resources of the country might be called upon to bear their share of the burden. But, Sir, this is a position in which the House of Commons has never before been placed. It is mere pedantry to get up and say that this is a Committee of Ways and Means, and that we have no right to refer to expenditure. A Committee of Ways and Means, into which we have scrambled God knows how, by means no one can tell, and in a manner never before experienced by the House of Commons. We have a Minister coming down with a Budget containing three distinct proposals. He carries his first proposal by two great majorities, and withdraws it in consequence, I suppose, of its having been supported by the House. He announces another scheme on which he never asked the opinion of the House; and to this day we have had no explanation from the Prime Minister, or the Chancellor of the Exchequer, or any of their financial colleagues—for all the Members of this Ministry are financial—we have had no explanation up to this moment of the reason why they withdrew that matured scheme with regard to the succession duties, which must have been under the consideration of the Cabinet on several occasions, and must have occupied a large portion of its time in its preparation; but we have been treated in a cavalier manner, and told that it does not become us in a Committee of Ways and Means to refer to the expenditure of the country. You call this a Committee of Ways and Means, and you ask us to pass a measure which only 10 days ago you denounced, and you tell us now you stand or fall by your opinions, as becomes you when you have changed them within the last three days. It is quite absurd for the right hon. Gentleman to suppose that that King Cambyses vein, which is the result of the weakness of the position he occupies with reference to this question, can stifle discussion and inquiry in a moment like the present.

We have a proposition before us in Committee of Ways and Means to increase the income tax to 6*d.* in the pound, and there is a Motion before us to reduce that amount by a penny. That is the real question under our consideration, and there is no other with which we have at present to deal. The right hon. Gentleman at the head of the Government has gone into another subject at great length, and to-night, with some colour of reason, because he at least answered a speech which was made in the course of the debate, although on a previous evening he spoke of Terminable Annuities when no human being referred to them. But here we have before us a Motion to reduce the income tax by 1*d.* in the pound, and upon that Motion it is that I now wish to speak. I shall support the proposal to reduce the 6*d.* income tax to 5*d.* I do so, in the first place, because I am still of opinion that it is not right the Ways and Means should be entirely supplied by direct taxation—an opinion to which the Chancellor of the Exchequer has given expression, and which has been supported by the Prime Minister. [Mr. GLADSTONE: When?] I understood the right hon. Gentleman to have supported the original Budget of his Chancellor of the Exchequer. There was, indeed, for a night or two some doubt as to whether he intended to support it, for his heart seemed faint and his spirit low. But, as the contest waxed warmer, so his gallant spirit rose, and he gulped it. From that moment he seemed to take his full share of the responsibility of that "arduous and anxious task," as it has been described by the Chancellor of the Exchequer, of duly portioning out the different items of direct and indirect taxation which appeared in the Budget. Now, I am of opinion that the whole of the deficiency ought not to be supplied by means of direct taxation. On this subject I entirely agree with the views which have been expressed by the Chancellor of the Exchequer. The position which he took up is one which I think it would be most unwise to relinquish. And I think that we should, in fact, encounter hereafter a Nemesis if we give in our adhesion to a precedent so perilous and fatal as that of levying the whole of the Ways and Means of the year—and those considerable Ways and Means—by direct taxation. But if we deduct from the expenditure on which these Ways and Means are founded the important item relating to purchase in the Army, which has never been voted in Committee of Supply, I find the deficiency will then amount to £2,100,000. A penny in the pound in the income tax will give us upwards of £1,500,000, and the Chancellor of the Exchequer would then have to meet a deficiency of between £500,000 and £600,000. Now, I am bound to say that a Chancellor of the Exchequer must be no very great hand at his profession if he cannot manage, somehow or other, to put his hand upon £500,000 or £600,000. I do not doubt that by many modes at his command, he would be able to frame his Ways and Means and his expenditure without committing these two great errors — first of all, unnecessarily inflicting an extra 1*d.* of income tax upon the classes with whom he so much sympathizes; and, secondly, establishing so fatal a precedent as raising the whole of his Ways and Means by direct taxation. When we remember how this affair has been managed — when we remember that these Ways and Means are not the Ways and Means that the Government first proposed, but are Ways and Means founded on principles entirely opposed to those which they at first professed—I do not think it remarkable that the House of Commons should take every opportunity, in Committee and out of Committee, in Committee of Supply and in Committee of Ways and Means, of challenging the propriety and policy of such conduct on the part of Her Majesty's Government, and of looking into the expenditure and examining the details upon which they are urging the Committee to take a course which they themselves only a few days ago disapproved. The right hon. Gentleman at the head of the Government says the matter has been fully debated; but it cannot be fully debated until you have explained to the people of this country, in a manner which will bring conviction to their minds, why it is that we are asked to pursue a course which is most injurious to their interests, and which less than a fortnight ago the Government themselves denounced. It requires discussion. The right hon. Gentleman says—"We have other work to do, so we must not waste further time on finance." That, I have no doubt, is a convenient doctrine for the right hon. Gentleman to lay down. But is that a course of conduct that will satisfy the country? There are classes in the country who look with the greatest repugnance and alarm to the financial propositions of the Government. If we pass those propositions, what satisfactory answer will it be to them that Her Majesty's Government have matters of importance to bring forward; that they have other Bills upon subjects which greatly interest them, and that they could not allow us time to examine into the necessity of passing measures most injurious and most unpopular with our constituents, and which Her Majesty's Government themselves on principle highly disapprove?

Then, Sir, the right hon. Gentleman says this is a Motion to suspend the Terminable Annuities, and to interfere with the arrangements—the ancestral arrangements—which have been made for the payment of the National Debt. Now, Sir, it so happens that for the most considerable arrangements for acting on the public Debt by those Terminable Annuities I am myself responsible, for it was not in the year 1866, but in the year 1867, when I was in office, that measure was carried. Therefore I can speak of it with impartiality, or rather with that partiality which everyone must have for any measure with which he has been intimately connected. Now, I am myself, and always have been, in favour of supporting that arrangement.

I never did at the time—although I do not depreciate the importance of acting upon our Debt—I never did pretend that it was merely or even principally for that object that I recommended the arrangement to the attention of the House. I have always believed, since the great discoveries of gold—though I am ever very glad to find that our Debt has been reduced by the natural surplus under the National Debt Act—that it was not, on the whole, expedient to make any vast and artificial effort to obtain that reduction. But, Sir, one of my principal objects in passing that measure, which cleared off £28,000,000 of Debt, was this—that it would prevent that reckless reduction of taxes on which the House was then, I think, far too hot, and the cutting off of sources of revenue which, in hours of dark necessity, might be of the greatest importance to this country. Now, I must say that I listened with astonishment to the right hon. Gentleman when he noticed the remarks of the hon. Member for Finsbury (Mr. W. M. Torrens) with regard to the Long Annuities and those Terminable Annuities with which I had to deal in 1867. I think the remarks of the hon. Member for Finsbury, in that able and complete speech which was fortunately delivered when the House was full, and was entirely appreciated by the House —I think those remarks were perfectly justified. Sir, it is a complete fallacy for the right hon. Gentleman to pretend that there is any similarity between the position of those Annuities that we have to deal with and the Long Annuities in the time of Sir Robert Peel. Why, if the dividends on the Long Annuities had been stopped you would have soon found out what the difference was. It would have been an act of bankruptcy, a declaration of national insolvency, if the dividends of the Long Annuities had been interfered with. With regard to this arrangement of Terminable Annuities, unquestionably if we have to deal with them at all, we must deal with them by Act of Parliament. I do not suppose anybody ever contemplated dealing with them except by Act of Parliament. The Terminable Annuities created by the scheme of 1867 were a sinking fund in disguise, neither more nor less, and it is perfectly open to the Government of this country, if they desire it, to come to Parliament to suspend, or to alter, or to abolish altogether the machinery which was then established. Why, we have had a Sinking Fund in this country even in modern times. After the Crimean War Sir George Lewis, who was then Chancellor of the Exchequer, established a Sinking Fund of £1,500,000, and it was in operation for some years. In 1858, just after a commercial and monetary panic, I acceded to office, in the month of February, and the rate of interest at that time was from 8 to 10 per cent. There was then a deficiency. Besides the deficiency, it was necessary to supply £1,500,000 in order to maintain the Sinking Fund that had been established by Sir George Lewis. I was in this position: I had to consider the propriety of proposing taxes to Parliament, not merely to supply the deficiency in the Revenue, but also to supply the £1,500,000 to maintain the Sinking Fund. I put it to Parliament whether it was their opinion that taxes should be raised not merely to supply the deficiency, and to afford the Chancellor of the Exchequer a fair surplus, but also to supply the £1,500,000 necessary for the Sinking Fund, which had then been in existence some years. Why, it was the unanimous opinion of Parliament that I ought not to do so, and the right hon. Gentleman was a Member of Parliament at that time of course, and I had to bring in a Bill, which the House passed without opposition, and which entirely abolished the Sinking Fund. I believe that my hon. Friend the Member for Huntingdon (Mr. T. Baring) was the only Member who protested against it, and he did protest against it, but did not divide the House. It was, as he thought, and it may so be held in a certain degree, an injury to the public creditor. But the wisdom of the House settled the question; it felt that it was perfectly absurd to be levying taxes on the people of this country in order to maintain an artificial Sinking Fund. But are we now in the same position? The question for us is this:—Is the situation one which recommends an interference with the considerable arrangements made in 1867? I say frankly, with what really is only a deficit of little more than £500,000, that is a course which I should not think of recommending. But there is no similarity between the case of the Long Annuities and the creditors of the savings banks. If you touched the Long Annuities your credit was destroyed throughout the world, and you would never recover from it; but the creditors of the savings banks have always the best security, and will continue to have it. Therefore, the observations of the right hon. Gentleman, delivered with mock indignation—no doubt they were sincere, but they had the appearance of mock indignation — when addressed to the hon. Member for Finsbury, were most uncalled for. Then, the right hon. Gentleman made an attack on me, because I described the income tax, imposed on account of the Abyssinian War, as a war tax. Does the right hon. Gentleman mean to say that we were not at war with Abyssinia? Does he mean to say it was not a war tax? The right hon. Gentleman positively became furious. I should like to hear the right hon. Gentleman propose a war tax; for if, upon a subject so essentially peaceable as this he has dissertated upon this night he could work himself up to such a pitch of indignation—but I forgot. He did propose a war tax with regard to the Crimean War, and then he was mild as a lamb. I quite forgot that. I quite forgot, and I suppose he quite forgot when he gave us that elaborate history of the effect of the Sinking Fund on Terminable—or, I should rather say, Interminable Annuities, from the way he dwelt upon them, and on the money saved, and the Debt that had been redeemed—he seemed, then, so full of my unfortunate but successful expenditure about Abyssinia, which produced at least no debt, that he appears to have forgotten the immense debt occasioned by the Crimean War; and, most of all, to have forgotten that that war was mainly owing to the timidity of the Government of which he was a Member. This is the Minister who now reproaches the Conservative party, and who said that when he was a Member of the Conservative party they looked to the future. Well, Sir, I hope the Conservative party will always have a due and modest regard for that which may occur; but I always thought it was rather characteristic of the Conservative party that it looked to the past, and reverenced the past. And, Sir, animated by the remembrance of what the Tory party has done, I may say we shall not be put down by the gibes of the right hon. Gentleman, although he once stood in our ranks. I shall not forget the traditions of that party; and I, therefore, will never give my consent to raising the Ways and Means of the year entirely by direct taxation. I will, remembering the traditions of that party, remember that it is my duty to support the interests of the poorer classes of the community. I will not be prevented in a Committee of Ways and Means, brought forward in this preposterous manner, from endeavouring to ascertain the cause why a Government, defeated and discomfited, propose measures which they themselves have denounced. I will, remembering the traditions of that party, not be afraid of opposing a Minister who, I think, has shown this evening that he has no regard for those classes of the country for whom he always affects to have so peculiar a sympathy. I call upon the Committee of Ways and Means to remember what is the question on which we are now asked to vote. It is whether, instead of 6*d*., we shall insert 5*d*. in the Resolution in the hands of the Chairman; and whether, by that course, we shall at one and the same time vindicate those principles of financial policy which we have always upheld, and show to our constituents that we are determined to maintain and uphold their interests.

Question put.

The House *divided:*—Ayes 294; Noes 248: Majority 46.

Resolution *agreed to.*

Bill *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Baxter.

Bill *presented*, and read the first time. [Bill 126.]

AYES.

Acland, T. D.
Adair, H. E.
Agar-Ellis, hon. L. G. F.
Amcotts, Col. W. C.
Anderson, G.
Armitstead, G.
Ayrton, rt. hon. A. S.
Backhouse, E.
Bagwell, J.
Baines, E.
Baker, R. B. W.
Barclay, A. C.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, Sir T.
Beaumont, Captain F.
Beaumont, H. F.
Beaumont, W. B.
Bentall, E. H.
Blennerhassett, Sir R.
Bolckow, H. W. F.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowmont, Marquess of
Bowring, E. A.
Brand, rt. hon. H.
Brand, H. R.
Brassey, H. A.
Brassey, T.

Brewer, Dr.
Brinckman, Captain
Bristowe, S. B.
Brogden, A.
Brown, A. H.
Browne, G. E.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Buckley, N.
Buller, Sir E. M.
Bury, Viscount
Cadogan, hon. F. W.
Callan, P.
Campbell, H.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hn. Capt. W.
Carnegie, hon. C.
Carter, Mr. Alderman
Cartwright, W. C.
Castlerosse, Viscount
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Chambers, T.
Cholmeley, Captain
Clay, J.
Clifford, C. C.
Cogan, rt. hon. W. H. F.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Collier, Sir R. P.
Colman, J. J.
Cowper-Temple, right hon. W.
Craufurd, E. H. J.
Crawford, R. W.
Dalglish, R.
Dalrymple, D.
Dalway, M. R.
Davie, Sir H. R. F.
Davies, R.
Dease, E.
De La Poer, E.
Denman, hon. G.
Dent, J. D.
Devereux, R J.
Dickinson, S. S.
Digby, K. T.
Dillwyn, L. L.
Dixon, G.
Dodds, J.
Dodson, J. G.
Downing, M'C.
Dowse, R.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Edwardes, hon. Col. W.
Edwards, H.
Egerton, Capt. hon. F.
Ellice, E.
Enfield, Viscount
Ennis, J. J.
Erskine, Admiral J. E.
Esmonde, Sir J.
Ewing, H. E. C.
FitzGerald, right hon. Lord O. A.
Fitzmaurice, Lord E.
Fitzwilliam, hon. C. W. W.
Fitzwilliam, hon. H. W.
Fletcher, I.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, rt. hon. W. E.
Foster, W. H.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Fothergill, R.
French, rt. hon. Col.
Gavin, Major
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Gower, Lord R.
Graham, W.
Gregory, W. H.
Greville, hon. Captain
Greville-Nugent, hon. G. F.
Grey, rt. hon. Sir G.
Grieve, J. J.
Grosvenor, Capt. R. W.
Grosvenor, hon. N.
Grosvenor, Lord R.
Grove, T. F.
Hamilton, J. G. C.
Hanmer, Sir J.
Harcourt, W. G. G. V. V.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Haviland-Burke, E.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Henry, M.
Herbert, H. A.
Heron, D. C.
Hibbert, J. T.
Hoare, Sir H. A.
Hodgkinson, G.
Hodgson, K. D.
Holland, S.
Holms, J.
Howard, hon. C. W. G.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Illingworth, A.
James, H.
Jardine, R.
Johnston, A.
Johnstone, Sir H.
Kay-Shuttleworth, U. J.
King, hon. P. J. L.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E. H.
Lancaster, J.
Lawrence, Sir J. C.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lloyd, Sir T. D.
Loch, G.
Locke, J.
Lowe, rt. hon. R.
Lubbock, Sir J.
Lusk, A.
Lyttelton, hon. C. G.
Macfie, R. A.
Mackintosh, E. W.
M'Arthur, W.
M'Clean, J. R.
M'Clure, T.
M'Lagan, P.
M'Mahon, P.
Magniac, C.
Maguire, J. F.
Marling, S. S.
Matheson, A.
Maxwell, W. H.
Melly, G.
Merry, J.
Miall, E.
Milbank, F. A.
Mitchell, T. A.
Monk, C. J.
Monsell, rt. hon. W.
Morgan, G. O.
Morley, S.
Morrison, W.
Mundella, A. J.
Murphy, N. D.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Conor, D. M.
O'Conor Don, The
Ogilvy, Sir J.
Onslow, G.
O'Reilly-Dease, M.
O'Reilly, M. W.
Palmer, J. H.
Palmer, Sir R.
Parker, C. S.
Parry, L. Jones-
Pease, J. W.
Peel, A. W.
Peel, J.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Playfair, L.
Plimsoll, S.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, J. T.
Price, W. P.
Ramsden, Sir J. W.
Rathbone, W.
Reed, C.
Richard, H.
Richards, E. M.
Robertson, D.
Roden, W. S.
Rothschild, Brn. L. N. de
Rothschild, Brn. M. A. de
Rothschild, N. M. de
Russell, A.
Rylands, P.
Salomons, Sir D.
Samuda, J. D'A.
Samuelson, B.
Sartoris, E. J.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Seymour, A.
Shaw, R.
Sheridan, H. B.
Sherlock, D.
Sherriff, A. C.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Smith, J. B.
Stacpoole, W.
Stansfeld, rt. hon. J.
Stapleton, J.
Stepney, Colonel
Stevenson, J. C.
Stone, W. H.
Storks, rt. hn. Sir H. K.
Stuart, Colonel
Sykes, Colonel W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Tollemache, hon. F. J.
Torrens, R. R.
Tracy, hon. C. R. D. Hanbury-
Trelawny, Sir J. S.
Trevelyan, G. O.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, Capt. hn. J. C. W.
Vivian, H. H.
Waters, G.
Wedderburn, Sir D.
Weguelin, T. M.
Wells, W.
West, H. W.
Whitbread, S.
White, hon. Colonel C.
Whitwell, J.
Whitworth, T.
Williams, W.
Williamson, Sir H.
Wingfield, Sir C.
Winterbotham, H. S. P.
Woods, H.
Young, A. W.
Young, G.

TELLERS.

Adam, W. P.
Glyn, hon. G. G.

NOES.

Akroyd, E.
Allen, Major
Amphlett, R. P.
Annesley, hon. Col. H.
Anson, hon. A. H. A.
Anstruther, Sir R.
Arbuthnot, Major G.
Archdall, Captain M.

Arkwright, A. P.
Arkwright, R.
Assheton, R.
Aytoun, R. S.
Bagge, Sir W.
Bailey, Sir J. R.
Ball, J. T.
Baring, T.
Barrington, Viscount
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, G. C.
Benyon, R.
Beresford, Lt.-Col. M.
Bingham, Lord
Birley, H.
Bourke, hon. R.
Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, W. C.
Bruce, Sir H. H.
Bruen, H.
Burrell, Sir P.
Buxton, Sir R. J.
Cameron, D.
Cartwright, F.
Cave, rt. hon. S.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chadwick, D.
Chaplin, H.
Charley. W. T.
Child, Sir S.
Clive, Col. hon. G. W.
Clowes, S. W.
Cochrane, A. D. W. R. B.
Collins, T.
Conolly, T.
Corbett, Colonel
Corrance, F. S.
Corry, rt. hon. H. T. L.
Crichton, Viscount
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Dalrymple, C.
Damer, Capt. Dawson-
Davenport, W. B.
Dawson, R. P.
Denison, C. B.
Dickson, Major A. G.
Dilke, Sir C. W.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Duncombe, hon. Col.
Dyke, W. H.
Dyott, Colonel R.
Eastwick, E. B.
Eaton, H. W.
Egerton, hon. A. F.
Egerton, hon. W.
Egerton, Sir P. G.
Elcho, Lord
Elliot, G.
Elphinstone, Sir J.D.H.
Ewing, A. O.
Fawcett, H.
Fielden, J.
Fellowes, E.
Finch, G. H.
Forde, Colonel
Forester, rt. hon. Gen.
Fowler, R. N.
Galway, Viscount
Garlies, Lord
Gilpin, Colonel
Goldney, G.
Gooch, Sir D.
Gordon, E. S.
Gore, J. R. O.
Gore, W. R. O.
Graves, S. R.
Gray, Lieut.-Colonel
Greene, E.
Gregory, G. B.
Guest, A. E.
Gurney, rt. hon. R.
Hambro, C.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hamilton, I. T.
Hamilton, Marquess of
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Hay, Sir J. C. D.
Henley, rt. hon. J. W
Henry, J. S.
Herbert, rt. hon. Gen. Sir P.
Hermon, E.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hick, J.
Hill, A. S.
Hodgson, W. N.
Holford, J. P. G.
Holford, R. S.
Holmesdale, Viscount
Holt, J. M.
Hood, Cap. hn. A.W.A.N.
Hope, A. J. B. B.
Horsman, rt. hon. E.
Hunt, rt. hon. G. W.
Hutton, J.
Jackson, R. W.
Jenkinson, Sir G. S.
Johnston, W.
Jones, J.
Kavanagh, A. MacM.
Kekewich, S. T.
Kennaway, J. H.
Knight, F. W.
Knightley, Sir R.
Knox, hon. Colonel S.
Laird, J.
Langton, W. G.
Learmonth, A.
Legh, W. J.
Lennox, Lord G. G.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Lopes, H. C.
Lopes, Sir M.
Lowther, J.
Lowther, W.
Lush, Dr.
Mahon, Viscount
Maitland, Sir A. C.R.G.
Malcolm, J. W.
Manners, rt. hon. Lord J.
March, Earl of
Martin, P. W.
Matthews, H.
Mellor, T. W.
Milles, hon. G. W.
Mills, C. H.
Montagu, rt. hon. Lord R.
Montgomery, Sir G. G.
Morgan, C. O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Muntz, P. H.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Newry, Viscount
Noel, hon. G. J.
North, Colonel
O'Neill, hon. E.
Osborne, R.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Lt.-Col. W.
Patten, rt. hon. Col. W.
Peek, H. W.
Peel, rt. hon. Sir R.
Pell, A.
Pemberton, E. L.
Percy, Earl
Phipps, C. P.
Plunket, hon. D. R.
Powell, W.
Raikes, H. C.
Read, C. S.
Ridley, M. W.
Round, J.
Royston, Viscount
Sackville, S. G. S.
Salt, T.
Sandon, Viscount
Sclater-Booth, G.
Scott, Lord H. J. M. D.
Selwin-Ibbetson, Sir H. J.
Shaw, W.
Shirley, S. E.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, R.
Smith, S. G.
Smith, W. H.
Somerset, Lord H. R. C.
Steere, L.
Straight, D.
Sturt, H. G.
Sykes, C.
Talbot, hon. Captain
Talbot, J. G.
Taylor, rt. hon. Colonel
Thynne, Lord H. F.
Tipping, W.
Tollemache, J.
Tomline, G.
Trevor, Lord A. E. Hill-
Turner, C.
Turnor, E.
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Vickers, S.
Walker, Major G. G.
Walpole, hon. F.
Walpole, rt. hon. S. H.
Walsh, hon. A.
Waterhouse, S.
Welby, W. E.
Wethered, T. O.
Whalley, G. H.
Wharton, J. L.
Whatman, J.
Wheelhouse, W. S. J.
Williams, C. H.
Williams, Sir F. M.
Wilmot, H.
Winn, R.
Wyndham, hon. P.
Wynn, C. W. W.
Yarmouth, Earl of

TELLERS.
Torrens, W. T. M'C.
White, J.

POSTAGE BILL.

On Motion of Mr. MONSELL, Bill for the further regulation of the Duties on Postage, *ordered* to be brought in by Mr. MONSELL, Mr. CHANCELLOR of the EXCHEQUER, and Mr. BAXTER.

Bill *presented*, and read the first time. [Bill 124.]

DIVORCE BILLS.

Select Committee on Divorce Bills *nominated:* Mr. WALPOLE, Sir JOHN PAKINGTON, Mr. BONHAM-CARTER, The LORD ADVOCATE, Sir CHARLES ADDERLEY, Colonel FRENCH, Mr. GATHORNE HARDY, Mr. HEADLAM, and Colonel WILSON PATTEN:—Three to be the quorum.

BURIAL LAW AMENDMENT BILL.

On Motion of Mr. WINTERBOTHAM, Bill to explain and amend the Burial Acts, *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

Bill *presented,* and read the first time. [Bill 125.]

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Friday, 5*th May*, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—Private Chapels* (96); Metropolitan Poor Act (1867) Amendment (97).

Second Reading—County Justices Qualification Amendment* (67).

Committee—Report—Promissory Oaths* (64-100).

Third Reading—Protection of Life and Property in certain Parts of Ireland (94), and *passed.*

ARTILLERY.

ADDRESS FOR RETURNS.

THE EARL OF CARNARVON, in moving an Address for certain Returns respecting the force of Artillery in the United Kingdom, said, that no soldier or civilian could doubt the vast importance of the part which artillery played in modern warfare, it being hardly too much to say that it had of late years been the deciding power in the great European campaigns. If, therefore, our guns were insufficient in number or were insufficiently manned, the position of the country was unsatisfactory, and any expenditure on other branches of Army administration, if not absolutely wasted, was of very doubtful utility. With the permission of their Lordships he would suggest several ways for testing the strength of our artillery force. The first and perhaps the best was to take the number of troops said to be available for military operations. The Secretary for War had repeatedly in "another place" stated them at 300,000, 400,000, or even 500,000 men, including the Reserves. Adopting the lowest of these Estimates, and assuming that we should have to provide artillery for 300,000 men, and adopting the ordinary standard of three guns for every 1,000 men, 900 guns were required, irrespective of Reserves. Now, he believed that, in point of fact, we had considerably less than 400 guns. If again, the available forces were 400,000 men, 1,200 guns were required. He did not think his noble Friend the Under Secretary for War would say that we were provided with 400 guns; but in some of the battles of the late war there had been more than that number engaged on one side in one Army, Prince Frederick Charles' Army alone had more than that number. Looking then to our coast and land defences, he wished to know what was the proportion of our garrison artillery to our field and horse artillery; and with regard to our garrison artillery what should be the proportion of men to guns. He believed it was the opinion of the most skilled artilleryists that less than 25 men per gun for garrison artillery were wholly inadequate. In the Crimea, he believed, we had never less than that proportion; indeed, the naval brigade employed in the trenches always went into action with 36 men per gun. Since then war had greatly changed, for while the largest guns at that time were of five or six tons, the largest gun for garrison was now of 35 tons; and the greater size of the guns and the projectiles necessitated a larger number of men. Now, in the Southern district, of which Portsmouth was the head-quarters, there were, he believed, 976 guns and 1,276 gunners; in the Western district, Plymouth being the head-quarters, 636 guns and 774 men; in the Eastern district, Dover being the head-quarters, 570 guns and 900 men, the total being 2,182 guns and only 2,950 gunners, or little more than one man per gun. If the Coast Brigade were included, the garrison artillerymen could not be estimated at anything like 5,000 men; whereas 2,182 guns at 25 men per gun required 54,000 men, exclusive of Scotland, Ireland, and our Mediterranean fortresses. This was a serious deficiency, and indicated a condition of great danger in the event of invasion—the contingency for which we were bound to provide—men could not be transferred from one part of the coast to another, as every part would probably be threatened simultaneously, so that each point liable to attack would have to be sufficiently garrisoned. The noble Lord (Lord Northbrook) would probably object that such an enormous force as 54,000 trained artillerymen could not possibly be raised, and that we must depend on troops of the Line to supplement the regular artillery force. This, no doubt, might be done within certain limits; but the Regular forces were at present small, and were never likely to be large—and everyone would admit that less than one man to a gun was at any rate preposterously inadequate. He believed that in the French Army three or four artillerymen were told off for each gun, sailors or Gardes Mobiles being depended on for the rest. Their Lordships knew what the result had been in the late war, and it was certainly not very encouraging. He believed that in the Crimea also the French had an insufficient number of trained artillerymen, and had to supplement them by troops of the Line; the consequence being that their batteries were more than once unable to sustain the hot fire of the Russians. Turning to the proportion of gunners in the horse and field artillery, he was aware that the Government claimed credit for augmentations, and he would admit that these considerably counterbalanced the reductions. The force of horse and field artillery now in the United Kingdom, as stated by Mr. Cardwell, amounted to 16 batteries of horse artillery with 96 guns, and 40 batteries of field artillery with 240 guns; the total number of guns being thus 336. Mr. Cardwell and Sir Henry Storks had spoken of these as if they were perfectly ready for action; but of these 336, which everyone would admit to be the minimum of what was necessary, not quite one-half were properly manned and horsed. The reason was that they were all on the peace establishment—the difference between this and a war footing being no less than 80 men and 136 horses in every battery of horse artillery, and 115 men and 173 horses in every battery of field artillery. It would be impossible to go into the field with a peace establishment, and the deficiency could not be supplied on war being proclaimed, for in these days hostilities commenced a few days after the proclamation of war, and, whatever might be possible in other branches of the Army it was utterly impossible to extemporize either artillerymen or horses. Both men and horses required long and careful and scientific training before they were fit for artillery work, and it would be an affair not of weeks and months but almost of years before the raw material was ready for service. To bring up these batteries to a war footing would demand 5,200 trained gunners and 8,700 horses, and it was obviously impossible that such an increased number of men and horses could be obtained properly trained on an emergency. It was not merely that the peace establishment was less than the necessity of the case required, but the number of batteries really available, in consequence of the deficiency of men and horses, was even lower than a peace establishment itself would imply. In the horse artillery there were on a peace establishment 2,288 men and 1,824 horses, while in the field artillery there were 2,760 men and 3,520 horses. Dividing these figures by what should be the war establishment, this formidable conclusion came out — that in the horse artillery there were only 10 batteries with 60 guns, instead of 16 batteries with 96 guns, and in the field artillery 21 batteries with 126 guns, instead of 40 batteries with 240 guns; while with regard to horses, there were only 7 batteries of horse artillery with 42 horses, instead of 16 batteries with 96 horses; and in the field artillery there were only 13 batteries with 38 horses, instead of 40 batteries with 96 horses. The result of this was that there were but 20 effective batteries with 120 guns, instead of 56 batteries with 336 guns. It therefore followed that the notion that there were 336 guns ready for service was altogether fallacious, and if Parliament and the nation were relying upon such a force of artillery in the event of a war breaking out the country would find itself in a very critical position. It might be replied that there were the depôts to fall back upon; but the Indian establishment was recruited from these, and they were on a very small scale, being composed in a certain measure of old horses and young recruits. Again, it might be said that this country could not be expected to maintain a war establishment when other countries, such as Russia, were content with a peace establishment. Russia, however, had very large reserves, while we, practically speaking, were wholly without reserves as regarded horse and field artillery. Reductions had even been made lately on important points; the number of waggons in the horse artillery had been cut down, and in districts where horses of the best kind were formerly abundant they were now difficult to obtain, large numbers having been exported at a high price for the German Army. The whole difficulty of the case, in fact, lay in the impossibility of extemporizing these scientific and trained troops at a moment's notice; and therefore they ought to be increased until, at all events, there were considerable reserves to fall back upon. What, then, was the state of the case as regards reserves? We had very few reserves even as far as the mere guns were concerned; we had all our naval stores concentrated in and about Woolwich and the metropolitan district; the great commercial ports were absolutely undefended; the fortifications, on which a great deal of money had been spent, were incomplete, gun after gun not being mounted, and the most important points on the coast were undefended. Abroad the case was not much more satisfactory, at all events with regard to our two great forces in the Mediterranean. At the beginning of the year — whatever might have been done since—there was at Malta only one battery of two guns properly mounted and armed; and he doubted whether at Gibraltar there was even one trained artilleryman. At Malta, too, the number of trained artillerymen was very small, though the fortifications were very extensive; and the garrison had been much reduced within the last two years. What, then, were the resources to which we could look? It might be said that the field artillery could be supplemented by the regular garrison artillery. Now, even if this was feasible—as to which opinions differed—the number of trained garrison gunners was so extremely small that we had really no resources of that kind. Again, it might be said that the field artillery could be supplemented by the Militia and Volunteer Artillery. No soldier of experience, however, would assert this — for, not to speak of other reasons, the drivers required almost as long a training as the gunners. He admitted that the Militia and Volunteer Artillery formed a powerful Reserve for garrison purposes, and that being 49,000 strong they would be amply sufficient, in conjunction with the garrison artillerymen, to make all the great towns and central fortifications absolutely secure. He feared, however, that they were at present uninstructed, and that, in spite of the best intentions, they must be pronounced comparatively inefficient. The Commission of distinguished artillery officers which sat last year recommended some important changes in these branches of the service, in order to make them available for garrisoning, and among other matters a better and more complete system of training was recommended, while it was also suggested that some officer of distinction and eminence should be appointed at the head of that instruction; that the Militia and Volunteer Artillery should be organized on a common system, and that they should be brought into contact with the Regular force and into greater unity—all of which results, according to the Report of the Commission, could be achieved at a small cost. Though finding fault, to a certain extent, with the Secretary for War, his object was rather to strengthen his hands. If the Government deliberately chose to keep the artillery on a peace footing the responsibility would rest with them. What we wanted was first a numerical increase in the men and horses of the field artillery, re-organizing the reserves so as to provide for the garrison artillery; secondly, a proper system of instruction for the Regular and Reserve Artillery forces; thirdly, an officer of distinction to take charge of this instruction and give unity to the system; and, lastly, a re-organization of both the Regulars and Reserves under a common management. Till these measures were taken we were living in a state of complete self-deception, counting upon horses which, if suddenly called upon to act, would be found to have no real existence. And the troubled state of Europe was a serious consideration. He saw with regret that after three months' discussion the country was still just as utterly helpless for maintaining its dignity abroad as it was at the commencement of the century, and almost as helpless for defence at home. He feared that the terrible lessons of the late war were, in a great degree, thrown away upon us, for he observed a feeling of indifference creeping over Parliament and the country on these vital subjects, and at least half the Session had been wasted in what he ventured to call unprofitable controversy on this subject.

Moved, That an humble Address be presented to Her Majesty for the following Returns with regard to the force of Artillery in the United Kingdom:

1. Number of horse, field, and garrison artillerymen in the United Kingdom, exclusive of depôts:

2. Number of the same in depôts:
3. Number of militia and volunteer artillerymen in the United Kingdom:
4. Number of artillerymen in the fortresses of Gibraltar and Malta respectively.—(*The Earl of Carnarvon.*)

VISCOUNT HARDINGE desired to thank his noble Friend for calling attention to this important subject. He regretted with him that the Government had not proposed a larger increase in the artillery, the strength now contemplated being the very minimum which ought to be kept up on a peace establishment. It was impossible, however, to provide an artillery force in due proportion to our Reserve forces, for this would involve something like 1,400 field guns, which large increase on our present strength Parliament would hardly be prepared to grant. The proposed increase was insufficient, for in case of war we had no artillery reserve whatever; and he objected to the reduction of the *cadres* of the officers in India—namely, four officers and two subalterns in every brigade of horse artillery, and four captains and ten subalterns in every brigade of field artillery. Eight troops of horse artillery were to be brought home from India, in spite, he was told, of the protest of the Commander-in-Chief in India; and it was stated that they were to come home without drivers. He understood also that ten batteries of garrison artillery were to be converted into field artillery, and that they would be replaced by untrained men; as also that the new field batteries required drivers, who would need some amount of training. He feared that in these measures the Government had lost sight of the principle that economy and efficiency should go hand-in-hand. He was anxious to know the strength of the first class Army Reserve, which he hoped was at least 4,000 men; and how many gunners it included, as well as the strength of the Militia Reserve, and the number of artillerymen it included. He had heard that out of 15,000 in the latter force there were only 1,000 artillerymen. The majority of the colonels had stated that a second Militia artillery brigade could be easily formed, and as the Militia was to be raised to 140,000 men, he would impress on the Government the advisability of increasing the artillery branch. It was important, too, that the Militia artillery should be properly trained; for 14 days for recruits and 28 days for the remainder of the force—the period assigned this year—was quite insufficient, considering the number of Sundays and wet days which intervened. As to the Volunteer Artillery, it was a valuable branch, and the Government had done a great deal to leaven it by enabling 1,000 men a-year to pass through the camp at Shoeburyness; but it could not be brought beyond a certain standard. Every soldier viewed with alarm the proposal of the Government that boys of 17 or 18 should be enlisted, and after three years' service passed into the Reserve; for though this might be the quickest plan of forming a Reserve, it would be effected at the expense of efficiency. Hence he was anxious to support the noble Earl in considering that the increase in the Royal Artillery had not been sufficient to meet the exigencies of the case—there being but a small amount of Infantry and Cavalry Reserve, and he might say none of Artillery.

THE DUKE OF ARGYLL said, that as an impression seemed to exist that the reduction of the artillery in India and the increase in England were connected together, he rose to explain that the former step was decided on by the Government of India long before it was known that the home force was to be increased. In concluding their financial arrangements, the Government of India decided to reduce the force by five batteries of horse and three of garrison artillery; all its members considering that this was expedient and safe with the exception of Lord Napier of Magdala, who had some objection to it—and it was but natural for an Indian Commander-in-Chief to dislike a reduction of the force. This decision was approved by the India Office at home, which thereupon proposed to the War Office that these batteries should be absorbed at home; it was, however, found impracticable to bring the three garrison batteries to England, and they were therefore to be broken up in India.

THE EARL OF MALMESBURY said, that being connected with the Militia Artillery, he would suggest that a part of that force should be exercised as field artillery, instead of being looked upon merely as garrison artillery. It would be well if some of the regiments could be instructed in the use of the mitrailleuse, which had proved so effective a weapon in the late campaign, and also in the civil war now unhappily going on in France. At present the Militia Artillery know nothing at all of the mitrailleuse.

THE EARL OF AIRLIE said, it had been rumoured that the Government intended to strengthen the field at the expense of the garrison artillery by drafting the latter into the former; but he must urge that the garrison artillery required higher qualifications than the other branch. It was a recognized principle that the class of men who could be trained in the shortest period should be kept at a low level, while the class requiring the longest term of training should be kept at the highest standard; but the Government would depart from that principle if they permanently reduced the strength of the garrison artillery for the purpose of increasing the field artillery. He wished to know whether the reduction of the former was to be a permanent measure? He hoped the Government would consider the noble Viscount's remarks on the necessity of a longer period of training for Militia Artillery, for at present, according to information supplied to him by officers in his own county, there was in some cases really only about three days' training a-year for each man at gun drill, and the money might as well be thrown into the sea.

LORD NORTHBROOK said, that the noble Earl (the Earl of Carnarvon), following his usual custom, had made his speech before obtaining the Returns, and had consequently fallen into inaccuracies. He would point out the alterations that had really been made in the artillery. In 1870 there were in the United Kingdom 180 guns of horse artillery and field batteries, 5,702 officers and men, and 2,966 horses; while the Estimates for the present year provided for 336 guns, besides 30 in depôts, 9,698 officers and men, and 5,800 horses;—showing an increase of 31 batteries, 186 guns, 4,000 officers and men, and 3,000 horses. The force of garrison artillery in 1870 consisted of 64 batteries and 6,641 officers and men; while this year's Estimates gave 42 batteries and 7,152 officers and men. These figures, he hoped, would satisfy the House that the Government had not overlooked the strength of our artillery, and would answer the question of the noble Earl (the Earl of Airlie) by showing that while the field artillery had been strongly increased, the garrison artillery had also been slightly increased as regarded officers and men. No doubt there had been a decrease in the number of batteries of garrison artillery; but that was a decrease in the officers, and not in the rank and file. In making these changes, the Secretary of State had acted under the advice of competent authorities and of the Committee of which the late Quartermaster General (General Haines) was Chairman, who proposed the peace establishment for horse artillery and field batteries on which this estimate was based. These changes were suggested after due deliberation, and the establishment was calculated in such a manner that it could be readily raised to an establishment sufficient for war service. In addition to the increase in the artillery, made in the Estimates of 1871, it was proposed, if the Bill now before Parliament should receive the Royal Assent, to lose no time in organizing the Militia and Volunteer Artillery. With regard to the Volunteer Artillery, he believed he was stating the opinion of those qualified to judge when he said that that force would be much more usefully employed as garrison artillery than as field artillery. With regard to the mitrailleuse, it appeared to him doubtful whether it would be right to employ the Militia or Volunteer Artillery, in the use of that arm. The noble Earl (the Earl of Carnarvon) assumed that the recommendations of the Royal Commission respecting the instruction of the Volunteer Artillery had not been carried out; but he had to observe that the substance of those recommendations had already been carried out. To revert to the strength of the artillery at home—There would be 336 guns—being precisely the same number as in 1805, when it was expected that Napoleon would invade the country. If that number were not sufficient for 400,000 or 500,000 men, it should at the same time be borne in mind that that number of men could not all be brought into the field at one and the same time. In his opinion, the artillery force proposed by the Government was sufficient for the present wants of the country; and no anxiety need be felt for the perfect safety of Gibraltar and Malta, where the strength of artillery was greater than when the noble Earl himself was Secretary of State for the Colonies, and responsible for the safety of those fortresses. The noble Earl said that to raise a horse artillery battery from peace to war strength required 70 men and 136 horses, and a field battery 115 men and 173 horses. Now, the peace establishment of a battery of horse artillery was composed of five officers, 143 non-commissioned officers and men, and 126 horses; while the war establishment for home defence consisted of five officers, 164 men, and 172 horses:—so that the real difference was 21 men and 46 horses, instead of 70 men and 136 horses, as stated by the noble Earl. Compared with the peace establishment of any other country in the world, ours was the stronger. The Prussian war establishment of horse artillery was four officers, 152 non-commissioned officers and men, and 146 horses; our peace establishment was five officers, 143 men, and 126 horses; so that the Prussian war establishment only exceeded our peace establishment by nine men and 20 horses. With regard to field batteries, the peace establishment was five officers, 144 non-commissioned officers and men, and 88 horses; the war establishment for home defence was five officers, 164 non-commissioned officers and men, and 138 horses; or a difference of 20 men and 46 horses, instead of 115 men and 173 horses as the noble Earl alleged. The noble Earl was in possession of very insufficient information on this subject, and had thus made statements which did not represent the proper figures, or the proposals of the Government. The arrangements made by the Government had been with a view to be able to increase our establishments at short notice. Three depôt batteries of field artillery had been established, and two of horse artillery; and these would have a large strength of drivers, because it was essential to have in reserve drivers, in order to place artillery in a condition for service. Great pains had been taken to supply this necessity, and if they wanted to place the artillery on a war footing they would only have to take a few guns from the garrison artillery and purchase a few more horses. He wished particularly to impress on their Lordships that our peace establishment was neither artificial nor delusory; they had been carefully considered by those who were responsible, and could be easily made effective should war occur. As to the number of artillerymen in the Militia Reserve, he could not at that moment state it, not having the documents at hand; but he believed that a Return giving this information had been already laid before Parliament. By increasing the length of training from 14 to 28 days, they had done something to meet the suggestion of his noble Friend (Viscount Hardinge), and the Government would be glad if they could secure for the Militia still more effective training. They had always considered the Militia a most valuable force, and would gladly do everything in their power further to improve it. All suggestions to that effect would therefore receive the most respectful attention of the Government. He hoped their Lordships would be satisfied that a considerable increase had been made in the artillery; that the increase he had described was not a paper increase, but was made in such a manner as would enable the force to be rapidly and efficiently put upon a war footing.

The Duke of CAMBRIDGE: My Lords, I wish to make a few observations on this subject, which cannot but command the attention of every military man. I may take this opportunity of pointing out to your Lordships that it is a very natural thing that officers who have commanded a fine field battery or battery of horse artillery should desire it to be and remain very efficient. If I myself commanded one of these batteries, I should greatly regret that it should be put on a peace establishment. But it is utterly impossible that you should keep field batteries or horse artillery on a war footing in time of peace. What I venture to think of great importance is that there should exist a power of expanding the Army when an increased force is called for. It is far more essential that the artillery should consist of a large number of batteries capable of expansion at short notice than that we should have a few batteries so large in number that though the actual force of men and horses is the same, still you have not the means of expanding them. The formation of new batteries, battalions, or regiments of cavalry is a perfectly different thing from increasing the establishments of old ones. In the latter case you have the officers in hand, you have the Staff, and, to a certain extent, in the case of artillery, you have horses and drivers, You put the less efficient men and horses into the second row of waggons, and in a short time they become efficient. I must express my regret that the officers of the Royal Artillery—and a finer set of officers do not exist—seem to hold the opinion that their batteries should be stronger. I think, on the contrary, that there should be a larger number of batteries on a peace establishment, so that our artillery force may be expanded in an emergency upon the old foundations; and I hope we shall not be led away by a natural desire on the part of the officers and conclude that the existing batteries of artillery are too weak, and that they ought to be diminished in number with a view to increase the strength of such as remain. We cannot fall into a greater error, and I hope we shall not do so. As regards the increase this year, we had 180 field guns last year, and this year we shall have 336 field guns, every one of which is horsed with six horses, while every field battery has a waggon to each gun besides, horsed with four horses. There ought, in my opinion, to be no great difficulty in increasing the existing batteries and bringing them up to a fair degree of efficiency in a short time. We have had an addition of 20,000 men made to our Army since last year, and the increase in the artillery has, I think, been very considerable. I do not say it is too considerable, as it ought to be so, compared with the necessity which existed for increasing that branch of the service. I quite admit that the artillery is one of those branches of our military service which ought to be kept in as efficient a state as possible. It is a scientific branch, and it is, of course, more difficult to train men for it than for other branches; but I am not going the length at the same time of saying that we ought to sacrifice the remainder of the Army for the sake of one particular branch. It would not, therefore, it seems to me, be desirable to increase the artillery more than we have done, because by so doing we might impair the efficiency of the rest of the service. As to the remarks which have been made with respect to transferring men from garrison artillery to field artillery, I would observe that there is nothing, no doubt, so essential as a well-trained garrison artillery—more especially when we take into account the great calibre of the heavy guns, which renders the working of this branch of the service very intricate. But if there is any part of an artilleryman's education which is more delicate and requires more instruction than another it is that which is connected with field artillery, which requires the most delicate handling. I may add that no greater misfortune could, in my opinion, occur to the Militia than that they should be converted into field artillery. They are a most admirable force for the purposes of garrison artillery; but I do not see how it is possible that they can get any field artillery instruction which would be of much utility in the short space of time at their disposal for drill. Of course the longer the Militia are drilled the better, speaking in a military point of view, I should be pleased. The civil habits and occupations of the Militiaman, however, render it almost impossible that he should undergo a longer period of training than he does at present. If the period of training were extended, the Militia would, no doubt, be rendered more efficient for the purposes of field artillery; but I am very much afraid that under a more extended system of training they would lose many of their civil employments. I believe the efficiency of our artillery has been very much increased by the arrangements which have been made. The number of batteries has not been increased, but we have increased our *cadres* of field batteries by decreasing numbers of our garrison batteries, adding at the same time to the establishments of garrison gunners per battery, so as to make up this loss in the aggregate. I have desired to address these observations to the House, as I know much has been said on this subject of artillery.

The Earl of CARNARVON wished to say, in explanation, that the calculations on which he had based his statement had not been hastily made. He, unfortunately, had not the Papers with him, nor had he, of course, access to official documents. He was, however, under the impression that the calculations were correct. If it should turn out that they were not he should be the better pleased.

Motion *agreed to.*

SAFETY OF DR. LIVINGSTONE.

Earl GRANVILLE: Your Lordships will, I am sure, be glad to hear that despatches have been received this day at the Foreign Office from Dr. Kirk, the Acting British Consul at Zanzibar, containing information of the safety of Dr. Livingstone in October last. The Doctor was then at Manakoso, awaiting the supplies that have been despatched to him. Meanwhile his immediate wants appear to have been met by the Arabs.

COUNTY JUSTICES QUALIFICATION AMENDMENT BILL—(No. 67.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, that the object of the measure was to remove the disqualification which the statute of 5 *Geo.* II., c. 18, imposed on attorneys, solicitors, and proctors to become justices of the peace for counties; with the proviso that they should not be capable of being appointed for the counties in which they carried on business. The Act repealed was intended, as stated in its Preamble, "to prevent persons of mean estate" occupying a seat on the bench of justices; but since it was passed, in the time of George II., circumstances had wholly changed, and nothing now need prevent the appointment of a class of men who were in many respects eminently qualified for the duties of the office.

LORD CHELMSFORD expressed his high approbation of the Bill.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

LOSS OF H.M. SHIP THE "CAPTAIN"—THE LATE CAPTAIN BURGOYNE.

QUESTION.

LORD BUCKHURST asked Her Majesty's Government, If there is any truth in the statement that the Admiralty have refused to pay certain bills incurred in his official capacity by the late Captain Burgoyne, of Her Majesty's ship *Captain*, and have referred the creditors to the widow, Mrs. Burgoyne, for payment? It had been stated in the public Press, with some authority, that the late Captain Burgoyne had in his official capacity, and not on his own private behalf, incurred certain debts for the officers' mess and for the band, amounting, it was alleged, to £400 or £500. One item was £46 for the uniform of the band. He was aware that these expenses usually fell on the officers, and no doubt would have been met by them had they survived their ill-fated ship. He could also see that it might be inconvenient for any Government to make itself responsible for expenses of this kind. What he desired to urge was, that this was an utterly exceptional case; and the peculiar burdens connected with it might be treated exceptionally. He wished to ask Her Majesty's Government whether that could not be done without establishing a precedent for other cases; and whether they could not in that way pay a small tribute of respect to the memory of a gallant officer?

THE EARL OF CAMPERDOWN said, it was not true that the Admiralty had referred any of the creditors to the widow of Captain Burgoyne. What had occurred was this:—Since the loss of the *Captain* bills incurred for the officers' mess, amounting in all to £380, had been sent by the creditors to the Admiralty. The Admiralty refused to pay them, as they held them to be incurred in respect of matters of a private nature. The bills were almost entirely for extra provisions, wines, and matters of that sort, which officers purchased for their own convenience. There was a bill of £23 for stationery for the private use of the officers; and that the Admiralty considered as a private bill. With regard to the claim of £42 for band instruments and uniforms, no doubt the noble Lord was aware that band instruments were always provided by the officers, not only in the Navy, but also in the Army; and the creditor himself in his letter stated he was aware of that circumstance, but hoped that this would be treated as an exceptional case. But if an exception was made in this case it would be against the positive regulations of the Admiralty, and the officers of every ship would say—"You paid for the band instruments and uniform in that case because the ship was lost; why not pay for them in our case also?" An instance of this kind had never arisen before, and he saw no reason why an exception should be made. The noble Lord had argued that the Admiralty might treat this as an exceptional case;

but he must be aware how difficult it was to make exceptions. As soon as a rule was made, a case was sure to arise possessing certain exceptional features, and if an exception was made in that case it would have to be made in another; until at last the rule would be broken through altogether. He was very sensible of the great loss sustained by the families of the officers who were lost in the *Captain*, and the Admiralty sympathized with them as much as anyone in the country could do. They had considered how they could manage to make some pecuniary compensation to Mrs. Burgoyne, so as to meet demands of this kind, and they found it could be done in this way. Captain Burgoyne was entitled under the regulations to take £350 worth of furniture provided by the Admiralty; but he preferred to take only £140 worth. The Admiralty considered that they might consistently with their duty, with the approval of the Audit Office, pay the difference between those two sums to Mrs. Burgoyne, and accordingly they had paid her £210, in order that that might meet the expenses alluded to by the noble Lord. He could assure their Lordships that the loss which Mrs. Burgoyne had experienced was doubly increased in the eyes of the Admiralty when it was remembered that she was the daughter of that eminent officer Sir Baldwin Walker.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL —(Nos. 77, 94.)—(*The Earl of Kimberley.*)

THIRD READING.

Bill read 3ª (according to Order).

Lord ORANMORE and BROWNE said, that on first reading this Bill it seemed to him that its provisions were wholly inadequate to meet the disgraceful state of things evidenced by the witnesses on the Westmeath Committee; and though some of their Lordships thought that a different form of procedure to that adopted in the Bill should have been taken for that end, yet he thought all not Members of the Government had agreed with him in the conclusion he first arrived at—especially as to the extension of the provisions of the Bill to a larger area; still, as he found the noble Duke (the Duke of Richmond) on the one side, and the noble Marquess (the Marquess of Clanricarde) on the other, not inclined to go further than the suggestions of Her Majesty's Government on that point, he thought it was useless to press an Amendment. But a new outrage of the worst kind occurring in the county of Mayo reminded him that while they were deliberating on the expediency of enforcing measures to repress crime, crime was again asserting its supremacy over law. He therefore felt it his duty to press the Amendment of which he had given Notice. The last attempt at murder in Mayo to which he referred was that on Monday last two shots were fired at Mr. Pike, at his residence in the county of Mayo—fortunately without effect. A threatening notice had previously been sent to him. From the threatening letter the police had notice that crime was intended; but under the existing law, from want of evidence they could not interfere—though probably had the Habeas Corpus Act been suspended they might have arrested those likely to be implicated, and by so doing prevented the outrage being committed. To justify the Amendment he now proposed he must in part repeat to their Lordships the statistics he read to the House on Tuesday. The agrarian outrages in Mayo were half of those committed in the whole of Ireland during the year 1870. The Peace Preservation Act doubtless checked crime throughout Ireland; but in the months of January, March, and April the outrages reported in Mayo were as numerous as in Westmeath, and there were no less than seven murders or attempts to murder among them, besides an attempt at night to burn down a house with all its inhabitants, but they were fortunately aroused by the smoke. In none of these cases had there been any conviction, nor, he believed, was there anyone in custody. He thought, therefore, he had clearly shown to the House that in 1870 Mayo had an unfortunate pre-eminence in crime, and that up to the present moment crime prevailed undetected and unpunished. He thought it should not be necessary for him to urge on Her Majesty's Government under these circumstances that it was their bounden duty to ask for some extra powers to re-establish the supremacy of the law. But the noble Earl (the Earl of Kimberley) said Ribandism did not extend to Mayo. He carefully attended to the speech of the noble Earl, and failed to learn how he distinguished between crimes that were agrarian and crimes that were Riband. Sir John Stewart Wood stated in his evidence that the state of crime in Mayo was not so bad as in Westmeath, and that though he did not think Ribandism extended to Mayo, he was not sure. Dr. M'Nulty, while denying the existence of the Riband Society as one united association, stated his belief that Ribandmen had probably means of recognizing one another all through Ireland, and so sent persons from one locality to perpetrate crime in another. Then their Lordships had the fact that whereas till three years ago the people of Mayo had been remarkable for being orderly and well-conducted, now murders and outrages were committed with impunity through the whole area of the county. He thought that was strong evidence of the existence of organization under the direction of some extraneous influence. But the results were the same to the people of Mayo; crime, outrage, and terror prevailed; the Executive was unable to cope with them; Parliament was quite willing to intrust them with any powers they required. If they refused these powers and crime continued unchecked, were they not accessory to the fact. Why was it that Government refused to have powers that they used only according to their own discretion? His convictions as to the future effects of the Land Bill were the same as they were when it passed—that they would be most disastrous. He appealed to noble Lords from Ireland, whether they supported or opposed that measure, whether he did not state an undeniable fact that the people of Ireland believed that that measure was conceded as a sop to crime? They believed that, as virtually the fee of the land was transferred from landlord to tenant subject to a rent charge, by the continuance of the same system, they would force Parliament to release them from that rent charge. If such was not the intention of Her Majesty's Government, if they intended no further to despoil the landlord, let them show that they would no longer wink at crime or allow Ireland to continue in a state which was intolerable in a Christian and civilized country.

Amendment *moved,* "That the provisions of the Bill be extended to the county of Mayo."—(*The Lord Oranmore and Browne.*)

THE EARL OF KIMBERLEY said, he was sure the House would excuse his not discussing with the noble Lord the precise amount of responsibility which might fall upon Her Majesty's Government if they did not follow his advice. Nor would he discuss the arguments which the noble Lord had used against a Bill which was passed last Session—the Land Bill. With regard to the particular Motion which the noble Lord had made, he would only say that Her Majesty's Government had very carefully considered to what extent the powers for which they asked by this Bill should be applied, and they did not think that the county of Mayo was one of the parts of Ireland which should be included in this special legislation. He had heard nothing from the noble Lord to induce him to change his opinion, and hoped the House would reject the Motion of the noble Lord.

THE MARQUESS OF CLANRICARDE said, as the Bill had been read a third time, it would be very difficult to alter it so as to include the county of Mayo within it. But from reliable information which he had received, he must say that in no district of Ireland did life and property require protection more than in that county. This Bill purported to be one for the protection of life and property in Ireland; whereas it was, in fact, merely a measure to put down the Riband Society in a certain district in that country. He admitted the necessity that existed for putting down that abominable institution; but the mere accomplishment of that object would not suffice for the protection of life in either Westmeath or in the other disturbed districts in Ireland. The noble Earl who introduced the measure (the Earl of Kimberley) drew a distinction between Fenianism and the Riband Society; but it would be no satisfaction to a dying man to be told that he had been shot by a Fenian and not by a Ribandman, or *vice versâ*. Captain Talbot, who had been examined before the Select Committee of the other House, could have told that Committee that the mere dissolution of the Riband Society would have no effect in protecting life and property in Ireland; and a reverend clergyman two years ago, in speaking on the subject, told his hearers that now-a-days when a man felt himself aggrieved he said nothing to any society or to anybody else, but just took his gun and "tumbled" his landlord or whosoever the offending party might be. Under these circumstances the Government ought to introduce a second Bill, which would really deserve the title that had erroneously been given to the present one. He desired that the Government should take to themselves the full responsibility in this matter. At this time the people of Ireland were more rich and prosperous than at any previous time during the century. How was it then that the people were leaving the country? The large emigration continuing from a wealthy and prosperous country showed that the hard-working and honest farmer or lalabourer who was unwilling to be driven into crime was compelled to seek in other countries that liberty which was denied to him in his own, in consequence of necessary steps not having been taken to secure the supremacy of the law.

The Duke of RICHMOND said, that while agreeing with the noble Lord on the cross benches that it was desirable to put down crime in Mayo, he thought that it would be objectionable to extend the operation of this Bill to Mayo, because this measure had been specially framed upon the Report of the Select Committee of the other House of Parliament which had been appointed to consider the question of disturbances in Westmeath, and that Report was founded on evidence taken before it. The Order of Reference by the House of Commons was to inquire into the state of Westmeath and a part of Meath; but if the provisions of the Bill were extended to Mayo that would include a part of Ireland as to which inquiry had not been made. He should also deprecate the extension of a Bill which contained more stringent powers than had ever been conferred on any Government in this country. Acting on the principle of placing all the responsibility for this matter on the Government, he would not, unless it were absolutely necessary extend the Bill to other parts of Ireland than those at first proposed.

Motion (by leave of the House) *withdrawn.*

Amendments made; Bill *passed,* and sent to the Commons.

POST OFFICE—THE SCOTCH MAILS.

QUESTION.

The Duke of SUTHERLAND asked Her Majesty's Government, How it is proposed to convey the mails beyond Inverness, the Post Office having given notice that after the 31st of May the mail trains north of that town would not be required?

The Marquess of LANSDOWNE said, the mails would be conveyed as parcels by such passenger trains as were available for their conveyance—the plan of subsidizing the railway having proved too unremunerative to admit of continuance. If any inconvenience arose, the Post Office would be prepared to put a train on on Sundays.

The Duke of RICHMOND pointed out the risk which would be incurred if the mails were sent as parcels by passenger train, since valuable documents were now transmitted by post. He believed the real cause of the change was the dissatisfaction which the Highland Railway Company felt at being only paid 1*s.* 1*d.* per mile for the trains that were placed at the disposal of the Post Office and their efforts to get that sum increased. He urged that the matter should be referred to arbitration, and hoped the Post Office would make some other arrangement than that which the noble Marquess had proposed; because to go back to the old system of coaches would be a retrograde movement.

The Marquess of LANSDOWNE said, he regretted that any part of the United Kingdom should suffer from want of postal communication; but he wished to explain that there was no falling back to the old system in the arrangements which had been made. Instead of the Post Office paying a sum to the company for the right of making mail trains run at particular hours, the mails would be sent forward by passenger trains as parcels. This was a system in practice in many parts of the country, and there could be no difficulty in securing the safety of the mails, for which the Post Office officials would be responsible.

House adjourned at Eight
o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 5th May, 1871.

MINUTES.]—Select Committee—*Third Report* —Selection [No. 71].

Public Bills—*Resolution in Committee—Ordered —First Reading*—Pier and Harbour Orders Confirmation (No. 2) * [127].

Ordered—First Reading—Gas and Water Provisional Orders Confirmation * [128].

Second Reading — Income Tax * [126]; Gas Works Clauses Act (1847) Amendment (No. 2) * [113]; Pensions Commutation * [122].

Third Reading—Bills of Exchange and Promissory Notes * [91]; Metropolitan Commons Supplemental * [62], and *passed.*

IRELAND—THE CENSUS—FALSIFICATION OF RETURNS.—QUESTION.

Mr. MAGUIRE asked the Chief Secretary for Ireland, If his attention has been called to a statement in "The Galway Indicator" newspaper, to the effect that in a large district of Connemara the Census paper had been tampered with and wrongfully filled up, and that the matter had been reported to the County Inspector and communicated to the authorities in Dublin; and, assuming that such statement be correct, what course would the Government adopt in order to insure correct returns and bring the persons offending to justice?

The Marquess of HARTINGTON said, in reply, that the constabulary had reported that in certain districts of Ireland, he believed in Galway, unauthorized persons had obtained possession of Census forms, and had filled them up wrongly by returning the religion of some females as Protestants, whereas they were really Catholics. Further inquiry was being made, and, if it could be proved that the assertions made were true, the offenders would be brought to justice.

FRANCE AND GERMANY.—QUESTION.

Sir ROWLAND BLENNERHASSETT asked the Under Secretary of State for Foreign Affairs, Whether any Correspondence took place between the English Government and the Governments of France, Austria, Prussia, and the smaller German States, in reference to the demand made in August 1866 by the French Government on the Cabinet of Berlin to cede to France the fortress of Mayence and a portion of the Rhenish provinces of the Prussian Monarchy; and, if such a Correspondence exists, whether there is any objection to lay it upon the Table of the House?

Viscount ENFIELD: Sir, there were rumours in the autumn of 1866 that France had claimed the cession of Mayence as compensation for the aggrandizement of Prussia in Germany, but they presently subsided, and there is no Correspondence which could be published on the subject.

UNION ASSESSMENT COMMITTEES.

QUESTION.

Mr. KENNAWAY asked the First Lord of the Admiralty, Whether under the Rating and Local Government Act the powers and functions of Union Assessment Committees would not virtually be superseded; and, if it is intended to repeal the Union Assessment Committee Act of 1862?

Mr. GOSCHEN: Sir, it is not intended to supersede by the Rating and Local Government Bill the powers and functions of the union assessment committees. The only powers transferred to the parochial board with respect to the valuation lists are those now possessed by the overseers as to the preparation of the lists in the first instance before they are submitted to the assessment committee for their approval. It may be found necessary to insert some words in the Bill providing more clearly that the valuation lists shall be conclusive for the purpose of the consolidated rate, as they are at present for the poor and other rates.

UNITED STATES—ENGLISH CLAIMS—THE MIXED COMMISSION.

QUESTION.

Mr. PIM asked the Under Secretary of State for Foreign Affairs, Whether the Mixed Commission about to be appointed under the Convention with the United States will be authorized to consider and adjudicate on the Claims of British Merchants for the losses sustained by them by the destruction of their property by Citizens of the United States during the late Civil War in America?

Viscount ENFIELD: No Convention has as yet been concluded with the United States; but if it is determined eventually to establish a Mixed Commission for the settlement of British and

American claims arising out of the Civil War, due notice will be given, so that all parties may bring their claims forward.

ARMY—ESTABLISHMENT OF CAVALRY REGIMENTS.—QUESTION.

COLONEL NORTH asked the Secretary of State for War, Why the Cavalry Regiments serving at home have not yet been completed to the establishment of Officers, although the non-commissioned Officers and men of the additional troop have been already raised?

MR. CARDWELL, in reply, said, the reason the augmentation vacancies had not been filled up was because, if filled up at this moment they would carry purchase rights, which he did not think would be proper under present circumstances.

CHINA—BRITISH MINISTER AT PEKIN.

QUESTION.

MR. MAGNIAC asked the First Lord of the Treasury, Whether, in the present condition of the relations of China with Foreign Nations, Her Majesty's Government do not consider it advisable to fill up the appointment of Minister at Pekin, now held temporarily by Mr. Wade?

MR. GLADSTONE said, he had no difficulty in answering the Question of the hon. Gentleman. The office of Minister at Pekin was not actually vacant. Sir Rutherford Alcock was the British Minister at Pekin, and he was at present in England on leave of absence, after a residence of four years at his post. Provision was made during the absence of Sir Rutherford Alcock for the discharge of his duties by the appointment of Mr. Wade as *chargé d'affaires*, and that, in the opinion of Her Majesty's Government, was, in the absence of the chief or regular representative, a very sufficient provision, Mr. Wade being a gentleman of great ability, and thoroughly competent to discharge the duties of the Mission. Mr. Wade possessed, in addition to other more general qualifications, a very complete knowledge of the Chinese language, so that he had all the gifts necessary satisfactorily to fulfil the functions of the office entrusted to him.

INCOME TAX BILL.—QUESTIONS.

COLONEL STUART KNOX asked the First Lord of the Treasury, Whether it is intended to proceed that night with the Second Reading of the Income Tax Bill, which was not yet in the hands of Members?

MR. GLADSTONE replied that in financial Bills of that kind, it had not been the rule of the House to require to see the details before acceding to the principle. This measure was a mere formula, there being nothing in it beyond the expression of the Resolution, although, owing to an accident, the manuscript of the Bill had not been sent to the printer in time for it to be delivered that day.

MR. J. LOWTHER: Will the right hon. Gentleman state after what hour he will take it?

MR. GLADSTONE: At whatever hour the Order may be read.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

POOR LAW (METROPOLIS).

ADDRESS FOR A ROYAL COMMISSION.

MR. W. H. SMITH, in rising to call attention to the operation of the Poor Law within the Metropolis, and to move—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the policy and administration of the Poor Law within the Metropolis,"

after pointing out that the subject was fortunately not mixed up with the interests of any political party, said, that the law of England gave to every destitute person, no matter what might be the cause of his destitution, an absolute and complete right, at the public expense, to food, clothing, and shelter whenever he might require them. The right of relief existing in this country was opposed to the practice of all other countries in the civilized world; and there was not in any part of Europe, he believed—certainly, there was not in America—such a right to relief from a legally constituted authority, although, of course, all countries, both in Europe and America, recognized the duty of giving relief to persons in need and destitution; there was, however, a vast and important difference between the two principles. He would briefly advert to the practice of other countries with regard to the relief of the poor. In Prussia, a country administered by a wise Government, which was careful of the best interests of the people, no one possessed a right to relief when in a state of destitution; and he would take the case of Berlin, a city which might be fairly compared with this great Metropolis, except that it was a comparatively new city, and had rapidly grown in wealth and power. In Berlin, the relief of the poor was administered by a committee of the town council, which likewise administered the affairs of all the hospitals and all the charities in the various parts of the city. Under this committee were 110 district committees, each consisting of six or seven persons, and these sub-committees administered what was analogous to our system of out-door relief. All applications for relief were carefully considered and sifted by the district committees, and there were only two classes of persons who constantly received out-door relief—namely, the infirm or aged, and widows with more than one child. There was no system for rendering assistance to able-bodied persons; but, on the other hand, there was what was called an extraordinary system of relief, under which medical advice, food, clothing, and money were given to persons in destitute circumstances. No one was, however, relieved from the necessity of finding some means of supporting himself, and assistance was given only to persons who had been stricken down by some misfortune. The total population of Berlin was about 700,000, and the whole number of persons relieved in 1868 was 38,000, the entire cost of relief, inclusive of hospital relief, being £168,000. He drew a great distinction between relief which was given as a right, and relief which was given as a duty; but he did not ask for this inquiry with the remotest idea that we could get rid of, nor indeed did he wish to get rid of, the right possessed by the poor of this country to relief. He knew it was utterly impossible, and probably it was undesirable, to endeavour to effect so great a revolution in the social condition of the country. So long as the poor existed, which from present appearances must be always, it was, no doubt, the bounden duty of every Christian to extend sympathy and care to them; but he thought the tendency of recent legislation had been rather to meet the demands made by pauperism than to check or cure it; for he considered there had been no very decided effort to restore habits of self-reliance to those who had fallen into a state of dependence, and to make them useful and respectable members of society. The latest published Returns of the Poor Law Board showed that 121,000 persons received out-door relief in the Metropolis on the 1st of January, 1870; and the general effect of the Returns was that the number of out-door paupers constantly in the Metropolis was not more than 120,000. That figure, however, gave but a very insufficient idea as to the extent of pauperism in London at the present time, and unless we realized the full extent of the evil, we should fail in our efforts to mitigate it. The figures he had quoted represented only the number of paupers who applied for relief on a particular day, and not the gross number throughout the year. Now, he had been at some pains to obtain from the authorities in various parts of London, facts on which he could place the most perfect reliance; and he should be able to show that the number of pauperized persons, who were more or less in a state of dependence on the charity which the law recognized and made compulsory, was far larger than would appear from the published Returns of the Poor Law Board. He had obtained from three Unions, which might be deemed characteristic of certain districts of the Metropolis, Returns which would justify the allegation he had made. Take the Strand Union, for example—The mean total for that Union which went to make up the figure of 120,000 out-door paupers, and some 35,000 in-door paupers, was for the year ending on Lady-day, 1870, 2,070; but the actual number of persons who received relief during that year was 7,390. In Lambeth, the mean number appearing in the Return was 7,680, representing the number of paupers, in-door and out-door, on the 1st of January and the 1st of July in that year; but the actual number of separate individuals who received relief was 21,320. Again, the Government Return gave

4,080 for Whitechapel; but the number of persons actually relieved in the year was about 15,500. He could show that the proportion of the population who, in the course of the year, received relief in one shape or another under the Poor Law system, exclusive of medical relief, amounted to 15 per cent of the whole—in other words, one person in every seven in London received relief in some shape or other from the Poor Law authorities in the course of the year. Now, he ventured to say this was a very serious and alarming state of things. Side by side with our increasing wealth and commercial prosperity pauperism was also increasing to an alarming degree, and constituted a problem which deserved the most serious consideration of the House and the country. He would for a moment recur to figures showing the growth of the Metropolis during the last 10 years. In 1860 the population of the Metropolis was estimated at 2,770,000, the number of paupers was 86,000, and the amount expended in their relief was £796,000, or a burden of 5*s*. 9*d*. per head of the population. In 1863 the population had increased to 2,904,000, the paupers to 94,000, and the expenditure to £868,000, or 6*s*. per head of the population. In 1867 the population stood at 3,082,000, the paupers at 126,000, and the expenditure had gone up to £1,175,000, or 7*s*. 8*d*. per head. In the year 1870—and hon. Members would now perceive the full force of the contrast between the two periods—the population was taken at 3,215,000, the mean number of paupers at 141,000, and the expenditure in poor relief had reached £1,466,000, or an average burden of 9*s*. 1*d*. per head upon the whole population of the Metropolis. These figures showed that while the cost of administering the Poor Law in the Metropolis had increased from £796,000 to £1,466,000, or 84 per cent within 10 years, there had been an increase in the number of out-door paupers to the extent of 77 per cent; that the in-door paupers were 35 per cent more numerous in 1870 than in 1860, while the population generally had only increased by 16 per cent during the same period of time. But if the increase in the pauperism and expenditure of the Metropolis, alarming though it was, were compared with that of the country generally, the contrast became more alarming still, more especially when taken in connection with the large towns, many of whom were in a like position with the Metropolis. The population of the country, exclusive of the Metropolis, might be taken at 18,000,000; and, while the paupers had increased in number from 717,000 to 827,000, the expenditure had gone up from £4,600,000 to £6,200,000, representing an advance of about a third, while the expenditure of the Metropolis had nearly doubled in the same period. The burden imposed upon the population for the maintenance of paupers was 9*s*. 1*d*. per head per annum in London against 6*s*. 7*d*. in the remainder of the country, a state of things demanding serious consideration, and which, in his opinion, most fully justified the appeal which he was making to that House and the Government for an inquiry into this great question. He found that in Mile End the charge for in-door relief had increased from £5,442 in 1860 to £6,300 in 1870; the out-door relief in the same period having increased nearly threefold, from £3,370 to £8,089. In Poplar, the in-door relief was £6,054 in 1860, and £9,172 in 1870; the out-door relief being £9,524 in 1860, and £23,348 in 1870. As there had been in Poplar distress arising from exceptional causes, he should not insist strongly upon that instance. In Hackney, again, the cost of in-door relief was £4,505 in 1860 and £7,730 in 1870; and of out-door relief £4,978 in 1860, and £19,860 in 1870; in fact, he might fearlessly say that a similar state of things existed throughout the majority of the districts of the Metropolis. As the result of personal inquiry, he found that the class of persons who were demoralized by the receipt of parochial relief were not instructed artizans, but persons of the uninstructed labouring classes, who had no regular employment, but earned what they could and spent it as it came, with the result that, if they were out of work at the end of a week, they went for assistance to the parish on the following Monday morning. One of two things was clear from this state of facts—either that these classes were insufficiently paid, or their habits were careless and improvident in a remarkable degree. The result of his inquiries had also verified the fact that the classes who were the least certain in their earnings or employment were the persons who most readily married and took upon themselves, without thought, the responsibility of maintaining families. The result of this was that the relief given in the districts to which he had alluded was a relief in aid of wages; as, for instance, the widow with a family, who earned a little money by needlework or charing, could not afford to work for the rate of payment she received if she did not obtain also assistance from the parochial authorities. Passing on to the question of the administration of the Poor Law, he found that in the Metropolis there were 36 Unions or parishes, each with the distinct and separate management of its own poor; the asylums and hospitals were under the control of an independent Board, consisting of representatives from the Boards of Guardians, and gentlemen nominated by the Poor Law Board; the district schools again were under the control of a separate Board, and yet another Board, called the Metropolitan District Asylum Board, had the management of imbecile and lunatic paupers; from these arrangements it resulted that there were four different distinct bodies in the Metropolis charged with the administration of the poor. He would not venture to object to the existing arrangements, but he must say that they struck him as being somewhat complicated, and calculated to bring into action a good deal of clashing authority, the result being an absolute want of uniformity in the provisions made in the different metropolitan Unions for the relief of the poor. Even in the article of diet, in the food supplied to the poor, there was absolutely no uniformity whatever, a fact evidenced in the most striking manner by the Return moved for by his hon. Friend (Mr. W. M. Torrens). For instance, meat was supplied by the contractor at the rate of 6*s.* 1½*d.* per stone to the Poplar Union, but it cost the Strand Union 9*s.* 4*d.* per stone; so butter cost 108*s.* per cwt in Wandsworth, but only 84*s.* in Islington; cheese varied from 38*s.* per cwt in Islington, to 103*s.* in Lewisham; milk from 7½*d.* per gallon in St. George's-in-the-East to 1*s.* 9*d.* in St. Luke's; and coals from 14*s.* per ton in Islington to 20*s.* in Whitechapel. Another objection that he took to the administration of our workhouses was, that the word "workhouses" was in itself a misnomer. A workhouse under the present system was chiefly an asylum for a great number of persons that were old, infirm, and incapable of working. If that were so, it would be better to call it an asylum; for in spite of the grinding of corn, breaking stones, and cutting wood, which were occasionally required from able-bodied paupers, no work of a character likely to qualify the inmates for earning a living outside the walls of the house was ever intrusted to them. In the workhouses of the Metropolis, too, there was an absence of classification and arrangement. There was the greatest zeal exhibited on the part of the Guardians themselves, and it was supplemented by an able and intelligent staff of officers, but there was little opportunity afforded for that classification, and instruction in labour, which he believed would result in much educational advantage to the poor people who were shut up within their walls. Passing from that objection, he came to another still stronger, to the system of administration of out-door relief. By an agenda paper which he held in his hand, he found that there were in one Union applications in one day for relief by 200 persons. Now, the Guardians of that Union met at 11 o'clock; and, however zealous and attentive in the performance of their duties, it was utterly impossible that they could make such inquiries into all those cases as strict justice and prudence demanded, sitting, as they did, only once a-week. The scale of relief, too, varied according to the parish in which it was administered, and there was no system and no rule under which any attempt at uniformity was made. For instance, he found in nine different Unions of the Metropolis, nine different rates of relief doled out—thus, in one Union he found a married couple receiving 5*s.* and a loaf; in another, 6*s.*; in a third, 6*s.* 6*d.*; and, in a fourth, only 4*s.* 6*d.* The same differences in relief he found given to a woman with bastard children. The consequence of this, and of the impossibility of making the necessary inquiry into the cases, was that frauds were continually perpetrated. In one instance a woman, on the pretence that she was the sole support of an aged husband and that her son was only 12 years old, received relief for some time, till it was discovered that she had never had any son, and that her husband had all along been maintained in the workhouse infirmary. In another case a man with chronic bronchitis was employed at night at some gasworks. He slept during the day, and as the parish doctor, who always called in the day-time, always found him in bed and always suffering from chronic bronchitis, the man was recommended as a deserving subject for relief. He was informed, and he considered it a suggestion tending to effect considerable reductions in the expenditure for out-door relief, that, if a good system were established by which each case could be thoroughly sifted, it would modify both in character and extent the nature of these frauds. Then, again, there were many houses in London where all the inmates were in receipt of assistance from the parish. The assistance might not, it was true, be large, but it would generally be found that it was sufficient for their lodging; so that, as a matter of fact, the rent was paid by the parish. Indeed, it was a very common thing for people to say—"Give us a little money to pay our rent, and we will get along." It was a matter for those who took a deep interest in the people to consider whether they were benefited by being doomed to such a system of misery and wretchedness as resulted from the dispensing of so small a sum in the shape of out-door relief. The annual elections of Boards of Guardians were also open to objection, for no sooner did a gentleman thoroughly understand this difficult subject than he had to go before his constituents for re-election. It thus frequently happened that a man, just as he had qualified himself for the duties which he had to perform, was sent adrift to suit local or party exigencies, and another man was put in his place. He knew hon. Gentlemen opposite were favourable to a system of frequent elections; but in this instance he believed they did more harm than good. What was wanted in a Guardian was a good practical amount of knowledge, as well as zeal and attention to his duties. With regard to the asylums, too, he could not help remarking that the system under which they were managed required great care and watchfulness; and, in his opinion, was open to great improvement, for in great establishments there was always a tendency to extravagance. In many cases, the persons admitted to our large asylums were not the persons for whom they were intended. The system of boarding out harmless imbeciles was carried out in Scotland with great success, and the results certainly justified consideration as to whether a similar system could not be adopted in this country. He would next refer to the schools; and although ready to bear testimony to the admirable manner in which they were managed, the cost needed justification, for the Central London District School, containing 1,200 children between the ages of 3 and 16, was carried on at a cost of 11*s.* 7*d.* per child per week; the sum being made up of 4*s.* 3*d.* for food and clothing, 3*s.* 4*d.* for common charges, such as superintendence; and 4*s.* for rent, interest, and re-payment of loans. The cost of maintenance without rent was, therefore, 7*s.* 7*d.* At the South Metropolitan School, the charge for food and clothing was 3*s.* 6*d.*, and common charges 1*s.* 8*d.*; making a total cost for maintenance of 5*s.* 2*d.*, which, with 1*s.* 2*d.* for loan and interest, made a total charge of 6*s.* 4*d.* At the North Surrey School, the charge for food and clothing was 3*s.* 11*d.*, for common charges 2*s.* 9*d.*, and for loans and interest 1*s.* 9*d.*; making a total of 6*s.* 8*d.* for maintenance, and a gross total of 8*s.* 5*d.* per week per child. These figures, having been extracted from the official Reports, could be trusted. The cost would necessarily be greater in a public institution than in a workman's home; but no working man could afford to pay for the education and maintenance of his children at that rate, yet the result must be very remarkable to justify such expenditure as this, and the matter was certainly worthy of serious consideration. The Scotch system of boarding out and educating children might, perhaps, be adopted with advantage, as the reports made upon it showed that the children brought up under that system were better cared for than the majority of the ordinary English labourers' children, or English workhouse and district school children—in fact, he was able to state, from personal observation, that the children in Scotland so situated led a very happy life. One special advantage of the system was, that the children were naturally trained, instead of being trained on a system; and, as Dr. Acland said, the great defect of the workhouse school system was, that the absence of parental training, and unexercised affections, entirely counterbalanced the whole of the advantages resulting from superior food and clothing. The Scotch system was almost perfect; the children were trained by their foster parents as their own, and, being educated in common things, they were naturally fitted for the position they were intended to occupy. The children of the district school, however, grew up as part of a great machine, instead of being taught self-dependence, and there was great danger that as soon as the child was separated from the system its education would be found wanting. In short, it was an unnatural system, to mass such children together in large schools; and, although he could bear testimony to the excellent manner in which the interests of the children were attended to in many of these large establishments, he did not believe it was a beneficial or advantageous system for them. The next point to which he should direct attention was that of sick relief, which was the most unsatisfactory part of the metropolitan Poor Law administration. At present it pauperized the applicant, who, though able and willing to provide himself with everything except medical advice and assistance, was unable to get that assistance without either becoming a pauper, or burdening himself with a long doctor's bill. The committee appointed by the authorities of some of the London Hospitals had made a very excellent report on out-door medical relief, and some attempt at amendment of the system of medical relief was needed, which he should himself like to see, and which would enable the labouring poor to obtain medical relief as far as possible at some small cost to themselves, so that their spirit of self-dependence should not be destroyed even in the time of sickness. The system which had been successfully carried out in Ireland embodied this principle, and an inquiry into the metropolitan system would show the absolute necessity for its amendment, so that it should not result in pauperizing the people. The system of control by the Poor Law Board needed special attention also; and the existing medical districts were much too large to admit of a proper discharge of the duties of the medical officers concerned. At present, in order to prevent and control what was called the waste of public money, the Poor Law Board exercised authority over Boards of Guardians, the consequence of which was the responsibility was so divided between the Poor Law Board and the Boards of Guardians, that the latter could not raise the salary of a porter or nurse by 2*s.* per week without the consent of the Poor Law Board, and dismissal was always subject to the right of appeal. The system was a bad one, and some means ought to be devised by which responsibitity should rest on one authority only. Act after Act had been passed upon the subject, until there was really now no possibility of ascertaining in which body the power rested. If work was to be done well it should be done by an individual or a Board on its own responsibility. The duty to be performed should be plainly laid down, and then whoever had to administer relief should do his work himself. He did not desire immediate legislation; but there had been no inquiry into the administration of the Poor Law within the Metropolis since 1861, although since that time there had been frequent and almost yearly changes in the law. In 1861 the poor relief of the Metropolis was administered in most cases by the parishes, acting under special Acts of Parliament; but all those special Acts had been swept away, and now every parish and every Union in the Metropolis were under the control and direction of the Poor Law Board. It would be well to have an inquiry into the results of that system, for one of those results was, that, side by side with the administration of the Poor Law Board, there had been a growth of expenditure of nearly 100 per cent. They could not legislate with advantage on a great question like that without the greatest deliberation, or without such an inquiry, conducted in public, as would carry public feeling and opinion with them. The time was favourable for its calm investigation. There was no panic in regard to pauperism; and though the weekly Returns published by the Poor Law Board were not entirely accurate, still there was a reduction in the pauperism of London. He hoped, if granted, that the inquiry would result in the recommendation that there should be a larger area for the administration of in-door relief, and that there should be a system of arrangement and classification in the several workhouses in the Metropolis; both of which improvements, when carried out, would, he thought, tend to promote the advantage and comforts of the poor, as far as they could reasonably be promoted. In order to effect this, it would be necessary to divide the Metropolis into three or four districts, under the control of representative bodies, elected perhaps triennially, but responsible wholly and completely within their own areas for the administration of relief in their districts. At the same time, he felt that there must be established some system providing a more minute subdivision of areas for out-door relief, a branch of poor relief which, great as might be the evils attending it, could not be done away with. Out-door relief must be given in many cases, in order to re-instate temporarily necessitous persons in a position in which they might again fight their way in life; but, connected with it, minute inspection, like that adopted under the Prussian and Berlin systems, must, as far as out-door relief was concerned, be applied to the Metropolis. Personal responsibility should be brought home to the Guardians and officers entrusted with the administration of that kind of relief, while personal visitation was brought home to every applicant for it; and he also desired to see some *bonâ fide* education test, so to speak, adopted in regard to able-bodied men and women receiving relief; and whether the relief given was in-door or out-door relief, its recipients should, as far as possible, be required to contribute something in return. He knew that was a difficult problem, but by patient and careful inquiry it might perhaps be solved in a way that would be satisfactory to the working classes, and so as not to interfere unduly with the labour market. The present system of relief tended greatly to injure and demoralize the poor; and under its operation—as the Rev. Canon Miller, Vicar of Greenwich, stated—they were largely undermining the self-reliance, providence, and self-respect of very many of the wage-earning class, and were training up a generation of beggars. By the system which had been permitted to grow up, they had now an army of paupers greater and more costly, directly and indirectly, than any Army which might be the subject of debate in that House; and although the Motion he now made would not affect, as Army Organization Bills might do, the fate of a Ministry or the interests of great parties, yet it was one that touched a question deeply and ultimately concerning the future welfare of the nation. The terrible cancer of pauperism was eating into the vitals of the people, was destroying the bone and sinew of the country, and raising up around them a numerous class who did not feel that it was their duty, their highest interest, their greatest advantage to work. He had no desire to stop the flow of public benevolence, but he felt that the truest charity was to put the poor or the suffering man on his legs again, and enable him to fight the battle of life for himself, and that to sap his energy and self-reliance was to inflict on him the most serious injury. The hon. Gentleman concluded by moving for the Address of which he had given Notice.

Mr. RATHBONE, in seconding the Motion, said, that after the able and exhaustive speech they had just listened to, no one would attempt to prove that an inquiry was unnecessary. He was of opinion that the desired inquiry must not only be made into the pauperism of the United Kingdom, as would be proposed by the hon. Member for Brighton (Mr. Fawcett); but those who would conduct it must also consider the questions that were raised by the recent Minute of the late President of the Poor Law Board (Mr. Goschen), as to the evils caused by both legal and charitable relief being given to the same individuals by means of bodies who acted without co-operation. After what had been said by the hon. Member for Westminster (Mr. W. H. Smith), he need not attempt to prove the necessity for inquiry, and he should therefore confine himself to these two points—first, the effect of the concurrent action of legal and charitable relief; and, secondly, the necessity for an entire re-organization of the Poor Law Board. With respect to the first point, all who had in recent years attempted to deal with the evils of pauperism must have been surprised at the enormous amount of money that was wasted, owing to both legal and charitable relief being given without any co-operation between the persons who were appointed to dispense it. As there had never yet been proposed a remedy which commended itself to the public, they might fairly ask for a Commission to inquire into the steps that were taken in other countries with a view to applying their experience to our own evils. For instance, he believed that at Boston, in the United States, all the Poor Law offices and those of the principal charities were placed under one roof, with a view to the centralization of relief; the consequence of this amalgamation was, that poverty and pauperism there had been kept in check to a great extent. Inquiry might also be made as to whether workhouses properly so called should not be, instead of resorts for the indolent, rather places where those who had lost the habit of work might be detained and taught to regain it. There was, however, a much more difficult problem to solve, for the present Poor Law had relieved the rich of their duty towards the poor, whom it had caused to depend on other resources than those which were provided by their own industry and providence. This difficulty had been greatly increased by the enormous growth of the large towns, in which the work of relieving the poor developed itself into such large masses that those who desired to be useful were discouraged by a feeling of the hopelessness of any individual effort. If the work were broken up into manageable portions, and charitable associations were brought into systematic connection with the relief of the poor, existing evils might be efficiently dealt with, and a disgrace would be removed from a nation that calls itself a civilized and *par excellence* a practical nation. The Royal Commissioners who were appointed to draw up a scheme of Poor Law relief for Ireland, including the late Archbishop Whateley, and other men of great ability, recommended that out-door relief should be dispensed by voluntary associations aided by the public funds, on condition of these associations subjecting themselves to certain rules and to a certain amount of supervision and advice from efficient officers who would be appointed by the Crown. If such a step were taken in England, benevolent persons might be induced to form themselves into charitable associations, by which means the assistance given to the deserving would be made more effectual, while there would be greater means of detecting imposture. As to the re-organization of the Poor Law Board, he regretted that the Premier should have stated that the office of President of that Board was not one of primary rank and responsibility, for if the right hon. Gentleman would apply himself to a consideration of Poor Law questions, he must come to the conclusion that during the next 20 years that Board would become a leading Department of the State. How was that Department—any laxity in the administration of which saps in the industry and virtue of the labouring population of this country—treated? No President of the Poor Law Board had been allowed to remain long enough at its head to make himself thoroughly master of the Department, or as soon as he had done so, he was removed to another office. Had the right hon. Member for Oxford University or the City of London been allowed to retain the office of President sufficiently long they would, no doubt, have been enabled to effect reforms which would have conferred the greatest benefit on the community; and so with regard to his right hon. Friend the Member for Halifax, but there was no chance of any President being left in his post long enough to do this. The fact was, the better they did their work the sooner they were removed. Nor is this arrangement compensated by any sufficient strength in the permanent element. The Board, therefore, wanted the experience which was necessary to proper responsibility and continuity of action. The old Poor Law Board did their work extremely well; they stopped the great demoralization of the labouring classes in the rural districts, and he regretted there was not such a Board now to do the same work for the labouring population of large towns. He admitted that the old Board had no element to bring it into harmony with the state of feeling in that House and the country, for it would have been very desirable that the head of that Board should have had a seat in that House; but, unfortunately, in this country we ran from one extreme to the other. We upset the old system, and produced a Board which was a perfect sham. He believed if we had a Poor Law Board with a President in that House, and two or three men of ability and comparatively useful energy to deal with the questions that came before them, it would obtain the confidence of the country. It was also necessary to have a much better system of selection, training, and promotion of Poor Law officers. Such a thoroughly trained and efficient Department of the Civil Service would attract to itself character, energy, and ability. Perhaps his right hon. Friend might tell the House he could make all the requisite inquiries himself, and no doubt he was competent enough to do so; but what security had they that he would be allowed to remain sufficiently long in his present office to conduct them to a satisfactory result? He thought an efficient Commission would strengthen the hands of his right hon. Friend, and he had great pleasure in seconding the Motion for its appointment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the policy and administration of the Poor Law within the Metropolis,"—(*Mr. William Henry Smith,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. FAWCETT, who had on the Paper a Notice to extend the inquiry to the United Kingdom, observed that he agreed with his hon. Friend the Member for Liverpool (Mr. Rathbone), that the Poor Law systems of other countries should also be investigated. He knew of no national question of greater consequence than this, for it was one that referred to evils which legislative influence had hitherto failed to remedy; as such, it was, therefore, quite unnecessary for the hon. Member for Westminster to make any apology for the introduction of his Motion, on the contrary, he (Mr. Fawcett) thought the House was under great obligation to him for the very able way in which he had treated the subject. It was impossible that a subject of greater importance and interest could be brought before the House; a Budget, although it might decide the fate of a Ministry, was, comparatively speaking, of little consequence. For these reasons, he thought the Royal Commission asked for by his hon. Friend ought to be granted; and if it was, his (Mr. Fawcett's) Amendment ought to be introduced into the subject. What made it of more importance was this—many evils afflicted the land which lay beyond the reach of Parliamentary action; but pauperism was, however, so directly under legislative control that it had grown with the unwisdom and diminished with the wisdom of the House. This was made manifest by history, which also exhibited what evils were to be avoided, and indicated in what direction we must look for reform. Some 300 years ago, indiscriminate almsgiving and voluntary charity were producing so many evils, that a feeling obtained throughout the country that repressive measures ought to be adopted, and during the reigns of Richard II. and succeeding Monarchs a series of statutes were passed, of an extraordinary and rigorous character, for putting an end to indiscriminate and ill-considered charity. But it was discovered that direct discouragement of these evils had not the desired effect; and the celebrated Act of Elizabeth determined to adopt indirect discouragement as the more efficient remedy—on the principle that every one had a claim to relief. Then it appeared that the country had assumed one of the most perilous responsibilities that could be conceived; for the most improvident, imprudent, and thriftless preferred their claim to relief on equal terms with the more worthy class of paupers; and if these responsibilities were not provided with safeguards it was easy to see that a great burden would fall upon the thrifty and industrious poor too heavy for them to bear. These safeguards were brought to bear; by them, voluntary paupers were distinguished from involuntary ones; and as these safeguards came to be strengthened in after years, a most marked diminution took place in the amount of pauperism, a result which was greatly assisted by the Act of 1727, which first imposed the workhouse test. This was borne out by the fact, that, in 1750, when the Elizabethan Act had been in operation for some 150 years, so firmly and wisely had it been administered that there was less pauperism in England than existed in any European country, and the day seemed near when pauperism would be entirely abolished. Unwarned, however, by the experience of the past, the Legislature of the day pursued a different policy, which seemed to ignore all the brilliant success already achieved; for by means of a statute called Gilbert's Act, the workhouse test was abolished, a rate in aid was sanctioned, and the Guardians were obliged to provide work as near home as possible for all applicants for relief. And what was the result of this? The whole aspect of the country became changed, and before 70 years had elapsed, instead of England being distinguished among European nations as having less pauperism than any other country, we were burdened with an amount of pauperism which threatened us with national bankruptcy, and jeopardized our chances of recovery, if we had any. It was almost impossible now, even to believe some of the abuses which had grown up under the old Poor Law system. Pauperism became a profession; pauperism was not considered a disgrace. Before the Poor Law Commissioners, in 1834, it was proved that many people actually thought that it would be advantageous to become paupers; and certainly, in one place, it was found that by the allowances which were given to paupers, while the pauper labourers were receiving 16*s.* a-week, the ordinary labourer was receiving only 12*s.* After the passing of the New Poor Law, in 1834, a radical change was introduced. Its main object was to do away with the allowance system, and to check out-door relief. The idea of the Act was, that out-door relief should be the exception and not the rule, whereas, unfortunately, at present it was the rule, and not the exception. As long as out-door relief was seldom given, a great diminution of pauperism was produced, an evidence of which was given immediately after the passing of the Act of 1834. In 1837, the whole amount spent in this country for the relief of the poor was only £3,500,000. The great evil of the present system was the reckless manner in which out-door relief was given. What did we observe, for instance, in the Metropolis? During nine years, the amount spent in out-door relief had increased by 130 per cent, and in the rural districts, an equally serious increase had occurred. In one Union in Somerset with which he was acquainted, the workhouse had accommodation for 400 paupers; the number of inmates, however, were only 92, whilst at the same time there were 1,100 people in receipt of out-door relief. He would now bring before the House some specific facts, which would show that as they extended out-door relief, pauperism increased with inevitable certainty. Everyone who investigated the condition of England, Scotland, and Ireland would conclude that there would be less pauperism in England and Scotland than there was in Ireland, for England and Scotland were both, as shown by the Income Tax Returns, far more wealthy than Ireland, and the average income in England was three times that of Ireland; the average income in Scotland was twice as much. And as a corroboration of that conclusion, it was found that the Scotch who came to England generally made their way prosperously, and seldom claimed parochial relief; but the Irish formed a considerable proportion of the paupers in the large towns of England. From all this they would infer, that there was far less pauperism in England and Scotland than in Ireland, yet, in England, with all its wealth, 1 out of 20 of the population was a pauper; in Scotland, wealthy also, 1 out of 23; while in Ireland, poor and depressed, as they had been told, by a vicious land system —the country always looked upon as miserable and wretched—only 1 out of 73 was a pauper. England, three times as wealthy, had three times as much pauperism in proportion to her population; while in Scotland the results were still more striking, for the paupers in the Highlands of Scotland exceeded by 12 per cent the paupers in Ulster and Connaught. The explanation of this extraordinary state of things was a very obvious one. In Ireland, until recent years, no out-door relief was given, and it was now very rarely given. In Scotland, although out-door relief was not given to able-bodied labourers, still out-door relief was given with great recklessness and carelessness; and everyone knew how recklessly the system had been administered in England. It might be said that England inherited pauperism from the defects of its old system; but Scotland and Ireland stood on all-fours, for the Poor Law was introduced into Ireland in 1838, and into Scotland a few years later; and in Ireland, in proportion to population, there was but one-third of the pauperism which existed in Scotland. The fact was, that entering the workhouse in England was considered a disgrace, and the poor people made considerable efforts to keep themselves out of it; while receiving out-door relief was considered not a disgrace, but was looked upon rather as a boon. It was obvious how powerfully this must act on the social condition of the country. In Ireland the feeling of filial obligation was far more powerful than it was in England. If in Ireland a man neglected his aged parent, having the means to support him, he knew as a general rule that the parent went into the workhouse and the son was disgraced; the consequence of this was, sons recognized their duties, and old people were seldom found in workhouses, if their children could by any means keep them out. Contrast this with what existed in England. Let them go to any London clergyman who was intimately acquainted with the condition of the poor, and he would say that one of the most powerful influences of our Poor Law system was, that it not only had absolutely destroyed all the sense of the duty which children owed to their parents, but that thousands of aged people received out-door relief whose children were in a condition to keep them. And then, as said by the hon. Member for Westminster (Mr. W. H. Smith), it was impossible for out-door relief, especially in large towns, to be administered with so much care as to prevent a considerble portion going to the impostor. Not long ago a man was summoned at a London police court for wages claimed by his daughter's music master. On referring to the parish books, it was found that the man sued for his daughter's music was in receipt of parochial relief. Another man who was in the receipt of relief was found to be in the enjoyment of an handsome annuity. In another case he had been assured that an old woman had received parochial relief from two Unions for 10 years after she was dead. The way this was managed was simply that when the relieving officer made his periodical visits, he was constantly told by the daughter that her mother was ill in bed, and he went away perfectly satisfied. It was impossible to devise a scheme of administering out-door relief which would protect you from hypocrisy and imposture, and through that this lesson was constantly brought home to the industrial classes of the country—that those who were receiving out-door relief were those who made no effort to help themselves. Could they suggest a remedy for this state of things? Did they propose suddenly to abandon the new Poor Law system, and say that in future no out-door relief should be granted? No one could be rash enough to suggest such a drastic remedy; but he ventured humbly to suggest to the House, that what they ought to do was to diminish out-door relief within the narrowest possible limits. Enough had been done in that direction by an Act passed two years ago by the late President of the Poor Law Board. That Act, however, he was sorry to say, only affected the Metropolis; but, if its operation were extended over the whole country, it would introduce a very important reform. The purport of that Act was simply to throw the cost of in-door relief on the general rates, and the cost of out-door relief a charge on the separate Union. Of course this operated as a great discouragement to out-door relief. He was not in the House when the Union Chargeability Bill was introduced; but he remembered the opposition of the right hon. Member for Oxfordshire (Mr. Henley) to that measure; and he (Mr. Fawcett) came to the conclusion that, however much different portions of the House might disagree with the right hon. Member's reasons, they would be with him in results. If they extended the area of rating—and this was the great argument against a national poor rate—they *pro tanto* relaxed their checks upon economy, and he believed that in many instances the result of the Union Chargeability Bill had been this—that each parish had not felt so much interest as it did before in the rigid administration of the Poor Law, and that the result had been a considerable increase of pauperism. Now, these evils might be counteracted if the measure now affecting only the Metropolis were extended to the whole kingdom. There was constant danger that philanthropy and mistaken kindness would bring about some serious evil; as, of course, all the feelings which they most cherished and most honoured would prompt them to liberality to the poor. The President of the Poor Law Board had lately issued an Order relative to the farming out of pauper children, which, he thought, would re-introduce many of the evils of the old Poor Law system, and greatly encourage illegitimacy. He referred to this subject with all the more interest because the Press had taken the matter up, and, considering the case as touching the welfare of the children only, they were right; but he (Mr. Fawcett) would take the liberty of presenting the subject in another aspect; and he was also the more anxious to make a few remarks on it, in consequence of what had fallen from the hon. Member for Westminster. The observations of the hon. Member were singularly characteristic. No one saw more the evils of out-door relief, and the disadvantages of indiscriminate almsgiving, than the hon. Gentleman, and yet he simply viewed the boarding out of children in one aspect, and lost sight entirely of the encouragement it might give to some of the social evils which they ought to be most anxious to check. Every one of these boarded-out children was to be allowed 4*s.* a-week for his maintenance, and 1*s.* a-week for his clothes; he was to have gratuitious attendance and schooling; particular injunctions were given that in case of illness he was to have the best medical advice obtainable in the neighbourhood; and if he needed nourishing food it was to be supplied without stint at the expense of the Guardians. Now, he knew a couple in the country whose circumstances he had watched for 25 years, and they were just the kind of persons to whom three of these pauper children would probably be sent. The man was an agricultural labourer; but, although one of the best workmen in England, had never earnt more than 13*s.* a-week. He had, however, contrived to bring up a family of six children. Well, when these three children were sent to him, he would receive for their support 15*s.* a-week; and then he would find out that there existed a system which never did anything for the thrifty and the prudent, but which gave for the maintenance of three illegitimate children, or three children neglected by drunken parents, 20 per cent more than he was ever able by constant toil to earn for the support of himself, his wife, and his family. He would now give another simple illustration of the present mode of administering out-door relief. Take the case of two agricultural labourers, A and B, who had both lived exactly the same life, as far as the opportunities of earning money were concerned, and whose wages were 12*s.* a-week. They were both, he would assume, of the same age, married at the same time, and had the same number of children. A, being a prudent man, recognizing the duty and the solemn responsibilty of making some provision for his old age, put aside 2*s.* a-week and purchased an annuity under the Act passed some years ago by the right hon. Gentleman now at the head of the Government, while the other man was a drunkard and spent every sixpence he could obtain in the publichouse. The result was, that when they had both grown too old for work, A was in possession of an annuity of 5*s.* per week, while B, having nothing at all, went to the parish and obtained out-door relief for himself and his wife to the extent of 3*s.*, or 3*s.* 6*d.* per week. A also went to the parish and asked for only 1*s.* weekly in order to supplement the 5*s.* which he had as the result of his own prudence, and to add to his clothing and fuel in the winter time; but the Board, knowing that he was possessed of the small annuity, refused his application—the principle of the Poor Law being to give nothing to the prudent, and all to those who least deserved it. This, he would remind the House, was not a purely hypothetical case, but one of a class that was of almost daily recurrence. Could anyone doubt that such a system must produce demoralization—that £7,000,000 thus distributed was only calculated to increase the habits of pauperism among the poor? Such was the effect actually produced. Not long ago it was proposed in the West of England to start a friendly society for the working classes, and a meeting took place on the subject; but when some one suggested that by subscribing weekly for years to the society they would only receive 5*s.* a-week, and that the parish would give them almost as much, it was resolved that so long as the membership of friendly or provident societies is a bar to out-door relief, the society should not be established—and it had not been established to that day. But if out-door relief was put an end to—if the result of a life of improvidence was an old age in the workhouse—the poor would be taught the importance of being provident. Another point of the utmost moment was to organize the charity and benevolence of the public; because, under the present system of indiscriminate giving, more harm than good was often done. Dr. Hawksley, who examined this subject some years ago, found that the charity annually dispensed in London, amounted to no less than £5,000,000, the larger portion of which went not to help the frugal and industrious, but to encourage the improvident and imprudent. Similar results were arrived at in the course of an inquiry which was instituted subsequently by Mr. Hicks, with the assistance of the proprietors of *The Times* newspaper. Mr. Hicks investigated the accounts of several London charities, and found that more than 25 per cent of their receipts was swallowed up and wasted in expenses of agents. What was wanted was the man who, not content with subscribing to a charity, took the trouble to personally see that its funds were wisely distributed; such a man did a work of real value. He had been reading that very morning the life of a dear friend of his, Mr. E. Denison, sometime a Member of that House, who had in the noblest manner showed how easy it was to perform, within the limits of a crowded city, acts of heroism as noble as any ever performed on the battle-field. For many months Mr. Denison had lived among the poor of the East-end of London; he knew the secrets of their lives intimately, and his experience confirmed every word that had been urged respecting the evils bred by the present method of distributing Poor Law relief; and he was particularly emphatic on the harm often done by the well-meant but ill-directed charitable efforts of the public. In what had been said in the House on this subject a few nights ago he confessed he had not been convinced by what had fallen from the Prime Minister. The truth was, that it was utterly impossible for any man, however gifted he might be, to know how thoroughly to accomplish the duties of the Poor Law Board until he had held that office for at least a couple of years; and he thought that no statesman could have a nobler field for his ambition or a wider scope for his abilities. He hoped that in the hands of the present head of the Poor Law Board such reforms would be effected as would put the whole system on a sound basis. He regarded the office as one of the utmost importance in the State, and he, for one, could not regard it as a promotion for a statesman to be removed from the Poor Law Board to the Admiralty or the War Office. His right hon. Friend (Mr. Stansfeld) had, in addition to his other onerous duties, to deal with financial questions more intricate than those which fell within the domain of the Chancellor of the Exchequer. How could they compare the work of the President of the Poor Law Board with the work of the Chancellor of the Exchequer, who had simply to provide for a deficiency of £2,800,000? There were only two or three ways of doing that, and it required no great statesmanship of those methods to select the worst. They had heard a great deal about the fear of foreign invasion, and had incurred an enormous expenditure to ward off the danger. They had had debates, night after night, on that subject, and he would contrast the state of the benches, when the interests of a party were concerned, with the state of the House when a great social problem was under discussion. He maintained that there was in our midst, and permeating down deep into our social life, a danger much more serious than any that was likely to arise from foreign invasion. Would anyone pretend that the safety of the country, or her material prosperity could be secured, that social cohesion could be guaranteed, or the moral welfare of the people be promoted, while 1 out of every 20 of the population was a pauper? This was a subject that required unswerving firmness on the part of a statesman. We should all like to relieve distress if we could; but the experience of the past told us what a fearful price we should have to pay if this distress were not relieved with judgment, care, and discretion. In one sentence, he would venture to say that this should be the end and aim of the House and of the statesman who had to administer the Poor Law Department — that we should reverse what had been the policy of the past; that we should do something more for the frugal and the thrifty, and afford as little assistance as we could to those who would do nothing to help themselves.

Mr. STANSFELD said, that it did not often fall to the lot of the House to listen to speeches so interesting, and, he might add, so eloquent as those which had been delivered that evening. His hon. Friend the Member for Westminster

(Mr. W. H. Smith), who commenced the debate, had addressed them in a speech of considerable, though not of too great, length—a speech full of philosophy and thought, going to the root of the question of pauperism and the method in which it should be dealt with; and though the philosophy of the hon. Gentleman might have led him to conclusions that might seem to be harsh, everyone who knew the hon. Gentleman knew that that was not the result of any want of sympathy for the poor. The speech of his hon. Friend the Member for Brighton (Mr. Fawcett), too, was one full of sympathy for the poor, but full also of a positive philosophy upon the subject of Poor Law relief, and the policy which ought to govern its administration. He must at once say that he did not rise for the purpose of endeavouring to reply to, much less to refute, speeches with which he had so much sympathy, and from which he was certain in the future to derive so much benefit and advantage. His hon. Friend the Member for Westminster had taken the very widest ground; he had commenced by denying the proposition which was the basis of our English law—that there was a right on the part of every individual to Poor Law relief. His hon. Friend, however, acknowledged the existence of a duty from the State towards the poor, and, if that were so, the correlative right on the part of the poor could hardly be denied. But his hon. Friend had addressed some statistics and figures to the House, and he began in 1860—the date from which might be said to have arisen our most modern administration of the Poor Laws of the country. His hon. Friend appeared to have been led into the belief that the legislation of the last few years had been rather to administer to pauperism than to check or cure it. Upon that proposition, it was his duty to take issue. He should not be doing justice to the policy of the Board, over whose proceedings he now presided, if he did not attempt to prove to the satisfaction of his hon. Friend, that the figures which he brought under the attention of the House, showing the increase of pauperism in the Metropolis, and the increase in the cost, did not prove, and ought not to be held to suggest, that our recent policy was such as his hon. Friend appeared to fear. His hon. Friend had stated, with perfect accuracy, that in the year 1860, the mean number of poor relieved in the Metropolis was 86,000, and that the total cost was £796,423. Then, his hon. Friend showed that in 1870, the number relieved was no less than 145,044, and that the cost of the relief amounted to £1,465,000. These were startling figures; but he hoped to be able to show that, though recent legislation might deliberately, and for good reasons, have increased the amount of relief afforded, it was not in any way responsible for the increase of pauperism in London. He would take the year 1866. There was a panic in that year, and it was also about the time that the Union Chargeability Act was passed, which altered the area of chargeability from the parish to the Union, and reduced the period for acquiring irremovability in London from three years to one. In 1866, the total in-door paupers were 30,431; in 1867, 33,063. In 1866, the total number of out-door paupers was 71,902; in 1867, 99,040, showing a total of 102,333 in 1866 and of 132,103 in 1867; or an increase of 30,000 upon those relieved in the preceding year. That increase, as before observed, was due to the panic and the Union Chargeability Act. From that time, the numbers of in-door paupers varied but slightly: in 1867, they numbered 33,063; in 1868, 34,952; in 1869, 35,025; in 1870, 34,998; and in 1871, 34,532. The expenditure had doubtless increased in consequence of these changes; but in the main that was due to the great improvements in the construction of the buildings for the accommodation of our in-door paupers, and the greater kindness and liberality with which they were treated. The out-door paupers in the last week of April, 1866, numbered 71,902; in 1867, 99,040; in 1868, 104,263; in 1869, 106,939; in 1870, 110,423; but in the year 1871 they were again reduced to 98,017. The totals were as follows: In 1867, the year immediately following the operation of the Union Chargeability Act, but before the Metropolitan Poor Act was passed by the right hon. Gentleman the Member for Oxford University (Mr. Gathorne Hardy), the total was 132,103; in 1868, 139,215; in 1869, 141,964; in 1870, 145,421; and in 1871, the total fell to 132,549, identical within a few hundreds with the numbers which obtained at the time the Metropolitan Poor Act was passed. He gave these figures for the purpose of satisfying his hon. Friend and the House that the policy of the Committee to which he had referred, and which reported in 1864, and the policy of the Poor Law Department, under the powers conferred by the Act of 1867, had not tended to increase pauperism, and he he should endeavour to show that so far as it had tended to increase expense, that increase of expense had sufficient justification. His object was to show that whatever might be the effect of the very wide question his hon. Friend had raised of the dangers of conceding the right of poor people to receive relief, and whatever there might be—and he thought there was a great deal—in the view of the hon. Member for Brighton (Mr. Fawcett), as to the dangers of a system of out-door relief, at any rate as far as the recent policy of the Poor Law administration was concerned, they had done much to improve the condition of pauper inmates, while they had done nothing to increase the expense of out-door relief. The object of the Act of 1867 was to attempt to promote the best possible classification of pauper inmates, for the purpose of dealing more advantageously with them; and of obtaining a greater power of dealing subsequently, when the time should come, with a proper administration of out-door relief. The proposals of the Act were—that hospitals should be erected; that workhouses should be cleared of certain classes of paupers; that hospitals should be managed on the best possible principles, for the cure of harmless lunatics, and the victims of fever and small-pox; that children should be removed from the corrupting influences of workhouse life; and having cleared the workhouses of these classes, that those who remained should be classified and sub-divided; and, above all, that the difficult problem of out-door relief might be dealt with by, as far as possible, offering the workhouse test. In pursuance of the purposes of that Act, hospitals and asylums had been erected, district asylums and infirmaries had been erected, separate schools had been put up, the number of the ordinary workhouses had been reduced, and, in some cases, the system of classification had been attempted. The right hon. Gentleman who had preceded him in the Poor Law Board had enlarged the Unions, and the number, instead of being 36, was now reduced to 30; so that the Department had been operating, under the powers of the Act of 1867, at least, in the direction in which his hon. Friends who had spoken desired it to go. The time had, therefore, now come when the Department required to address itself to two questions. First of all, the classification of the poor who were to remain in the workhouse, so as to provide the best accommodation; and, secondly, the great and difficult question of the administration of out-door relief. Some suggestions had been made tonight upon these subjects, and the suggestions offered would receive his most attentive consideration. He would be only too glad to receive and welcome any assistance which any hon. Member would at any time do him the honour to render him. No doubt there was something complex in the conditions of the Poor Law problem; but there was no clashing in the administration of the Poor Law. His hon. Friend had commented on the vagueness of the powers of the Poor Law Board; but those powers were at least not insufficient, and perhaps their vagueness accounted for their comprehensiveness. The hon. Member while suggesting a policy that had been to a considerable extent followed out—that of a larger area for in-door administration—had also suggested smaller areas for the administration of out-door relief. Upon that question he declined to express an opinion; the Board, however, was increasing the number of relieving officers, was improving their pay, and was still carrying out the uniform policy of the Board since 1834 of limiting the out-door relief to a minimum. The system was not yet in complete working order; but he agreed that as far as possible where out-door relief was afforded, it should be sufficient, and should in no case be given without full inquiry. Upon the question of boarding out children, he was not prepared to express a definite opinion at present. The system was being tried, and its results were being carefully watched. The objection to the system raised by the hon. Member for Brighton (Mr. Fawcett), that the pauper child boarded out would be more cared for than the child of the poor labourer, was a necessary characteristic of the system, and the objection applied with equal force to district schools. Had his hon. Friend no faith in those instincts of human nature which induced people to prefer liberty to restraint and the family relations to isolation from their own kindred? Would it not be wiser to place some reliance on these feelings than, from any chimerical or exaggerated fears, to deprive orphan, destitute, and neglected children of the advantages of the care which our Poor Law administration now afforded them? The hon. Member for Westminster had not, he thought, quite done justice to their district schools, although he spoke of their admirable management, and the great kindliness of all connected with them. The hon. Member had quoted the opinion of Mr. Henley—one of their ablest Inspectors—to the effect that there was something in the restraint and the formalities of a large school which stunted, so to say, the physical as well as the moral and intellectual growth of the children, and that a child would benefit by being placed in inferior but more natural conditions. The restraints and formalities of a large school were not, however, found to stunt the physical, moral, and intellectual growth of boys in middle class schools; and he could not see why their effect should be so different in the case of the children in those district schools. Having himself visited one of those district schools the other day, he was much impressed with the good order, the cleanliness, and the sense of freedom and happiness on the faces of the children, as well as with the kindness of those who administered the school. But, amid all that feeling of satisfaction and almost of delight, there came into his mind something of a different and very depressing character—namely, the reflection that he was contemplating a great mass of young humanity, of whom he was tempted to say that, in great part, it might have been better had it never been born; and he was compelled to regard it as a matter of doubt whether the greatest care of their moral, intellectual, and physical health and growth could redeem them from the stain, the difficulty, and the drawback of a bad origin, and an originally poor, physical, and mental organization. He thought his hon. Friend had overlooked the fact that the children in their metropolitan district schools came from the very poorest physical stock of the country, that their genealogy itself was of the very worst, and that if they compared them with the offspring of the ordinary day labourer, or even, it might be, with the pauper child in the rural districts, they compared two beings who started in life with very different attributes, physical and intellectual, and possibly moral. While saying he could not entirely concur in their opinions, he hoped he had shown that he did not undervalue the suggestion contained in the thoughtful and admirable speeches addressed to the House by his hon. Friends. The hon. Member for Westminster had spoken not only of the increased numbers, but of the increased cost in the Metropolis, and seemed to be under the impression that the increased cost was very considerable in the administration of out-door relief. The true figures, which he would give the House, showed that their very great increase of expenditure had not been in the administration of out-door relief—although that had increased—but in providing admirable and commodious buildings, hospitals, asylums, and schools, and in administering them by a class of officers superior to, and better paid than, those formerly employed. In 1860 the total cost of the relief of the poor in London was £796,000, and in 1870 it had risen to nearly double that amount, or to £1,475,000. On analyzing those figures, it would be found that in-maintenance had risen gradually from £260,000 in 1860 to £420,000 in 1870. He had shown that there was no considerable increase in the number of in-door paupers; but in-maintenance included the charge for the care of the sick; and the great increase of expense arose first of all from the increased price of provisions since 1860, and next from the very much greater care now bestowed on the sick, and the additional comforts afforded them. The cost of out-relief had risen from £200,000 in 1860 to £413,000 in 1870, and the numbers from 86,000 to 132,000. If he were to take the year 1867, he could show that the numbers had not at all increased, although there was a certain increase in the charge for out-maintenance, which might be attributed in some degree to the cost of medical out-door relief. The maintenance of lunatics—an expenditure which could not well be said to be incurred in ministering to habits of pauperism—had increased from £89,000 to £170,000. The item of repayment of workhouse loans had risen from £47,000 in 1860 to £93,000 in 1870; and there had been a great rise in the charge for salaries and rations of officers—namely, from £88,000 in 1860 to £148,000 in 1870, as, under the policy of the Act of 1867, they had considerably increased the number of nurses and relieving officers. In 1860 the number of relieving officers was 102; and in 1870 it was 161. In 1860 the salaries paid amounted to £12,976; in 1870 they had risen to £20,108, showing an increase of £7,132. In 1860 the number of nurses was 246; in 1870 it was 354, and the salaries paid rose from £4,520 to £7,280. The miscellaneous expenses of relief had also increased from £112,000 to £231,000 in the same period. He should be the last person to say there was not ample subject-matter for inquiry into the administration of the Poor Law, whether in the Metropolis or in the country at large. The speeches made that night were full of suggestions for further inquiry. He granted the advisability of inquiry; but he would say that the Poor Law Board was itself a Commission, and that its functions were not merely administrative, but also for inquiring. The House had to deal either with principles and policy, or with the observance and collation of facts; and as far as principles and policy were concerned, why should they resort to a Royal Commission? What Royal Commissioner was likely to address to them in his Report a more exhaustive and philosophical statement of principles and general policy than had fallen from the hon. Member for Westminster or the hon. Member for Brighton that evening? And was it not the undoubted fact that the House possessed, in a remarkable degree, the faculty and the knowledge necessary to the discussion of the principles and the policy which should guide the administration of the Poor Laws in this country? Therefore, instead of the House handing over its functions, or asking him to hand over his as an administrator, to a Royal Commission, let them take common counsel on those questions of policy, and work them out for themselves. Then, as to the observance and collation of facts, the Department had abundant means and power—which he had every willingness to use and exercise—for making any inquiries, whether in the Metropolis or in the United Kingdom, or abroad, which might be found necessary or expedient for the elucidation of questions in which they were all so deeply interested. Though he could not concur in the Motion of his hon. Friend the Member for Westminster, he trusted his hon. Friend would accept the Poor Law Board as his Commission, and he invited him to co-operate with that Board in the inquiries he might think it advisable to make. If he would do so, he would accept his counsel willingly, and would work with him heartily for the purpose of securing so good an object, which they both desired to effect.

SIR MICHAEL HICKS-BEACH said, that having had occasion to communicate with the right hon. Gentleman the President of the Poor Law Board on various matters connected with the Poor Law, he must bear his testimony to the great ability and earnestness with which that right hon. Gentleman had addressed himself to the task which lay before him. There could be no doubt the frequent change of the head of that Department had caused much delay in carrying out many necessary improvements, as evidenced by the fact that the Bill of his right hon. Friend the Member for Oxford University was passed in 1867, and but for the frequent changes to which he had referred, the valuable reforms proposed in that Bill would have long ago been carried into effect, and no doubt would have resulted in a vast improvement in the administration of the Poor Law. The present First Lord of the Admiralty had expressed some little alarm at the great increase of expenditure which would be occasioned if the proposals of that Bill were carried out, and had in consequence postponed some buildings which would otherwise have been long since completed; but this delay had been useful in one point, for the result had shown that temporary hospitals, such as that which now occupied the ground at Hampstead, were quite as efficient and valuable as more permanent ones. With regard to dispensaries, the last Report of the Poor Law Board showed that the dispensary system was by no means complete; and, in this respect also, there might have been a more active carrying out of the Bill of his right hon. Friend; he thought, therefore, it was too soon, as yet, to form any fair judgment as to how far the provisions of that Bill were sufficient to deal with metropolitan pauperism. He did not deny the increase in the numbers receiving relief, and in the amount spent both in the Metropolis and the country, nor was he prepared to say that very considerable changes ought not to be brought about in our present system; but it appeared to him that the fault was not so much in the Poor Law itself as in its administration; for, whenever it had a fair chance, and had been properly worked, it carried out its object as well as any human institution could be expected to do. He admitted the complaint of his hon. Friend (Mr. W. H. Smith), as to the want of uniformity which prevailed with regard to in-door relief in the Metropolis, in such matters as the cost of provisions and other important details; but it was hardly possible where any discretion was left to the Guardians that perfect uniformity in such matters could exist. At the same time, he by no means said that the prices of provisions were regulated as they ought to be; on the contrary, he feared there was too often not only carelessness, but something worse, in the contracts that were made by the Boards of Guardians in the Metropolis. With regard to out-door relief, he thought the districts which had been formed by the present First Lord of the Admiralty, by uniting together various Unions and parishes, were too large for that purpose. In November, 1869, the right hon. Gentleman (Mr. Goschen) issued a Circular to various Boards of Guardians, in which he spoke of the obligation imposed upon them by the Poor Law to give what he called "adequate relief" in all cases coming under their jurisdiction; but when he was asked to define "adequate relief" he very wisely shrunk from the task. It was there the great difficulty existed, and it was only by a proper distribution of "adequate relief" that the present state of things could be remedied. He (Sir Michael Hicks-Beach) thought that, in order to secure this, small districts were absolutely necessary. In a particular parish which became notorious four years ago, in connection with Poor Law matters, there had since been a vast improvement in the management of it by the Guardians, owing mainly, he believed, to the valuable exertions of one gentleman. Unfortunately, however, ideas of an adverse character having lately prevailed, the advice of that gentleman was set aside, and the consequence was, as he was informed, the vast increase of the weekly expense for out-door relief from £200 to £400. What was wanted was a proper inquiry into the case of every applicant for relief, so as to make it certain that the money given was not doled away among a number of undeserving persons, but that every person who ought to be relieved was sufficiently relieved. He found, from the last Poor Law Report, that the annual cost of the maintenance of each pauper in the workhouse was £9 16*s*., or 3*s*. 9*d*. per week. The average sum given to each case as out-door relief was £4 5*s*. a-year. The real evil was that too many cases were relieved, and the amount of relief given in each particular case was inadequate. In the country, a single pauper who applied for relief received, perhaps, a couple of loaves and from 1*s*. 6*d*. to 2*s*. in money, per week, which was obviously inadequate; but that relief was supplemented by charity, which the Guardians knew, and, therefore, they were disposed to give less than they otherwise would. The workhouse test, which was the corner-stone of the Poor Law, could not now be enforced in the Metropolis and some other large towns. It was worthy of consideration, whether it might not be possible in the Metropolis to issue the out-door relief prohibitory order with the power to the Guardians of suspending it in a particular district in the event of exceptional distress. Pauperism was much encouraged by a too great readiness on the part of Boards of Guardians throughout the country to grant out-door relief. On the other hand, some must be given. The hon. Member for Brighton (Mr. Fawcett), though he did not wish to put a stop all at once to out-door relief, thought it might be diminished, and even possibly be extinguished. But in that case, there would be instances of death from starvation, which would lead to indiscriminate charity, and the evil caused thereby would be greater than was caused by the administration of out-door relief. Moreover, the principle that every man in this country had a right to relief, if he required it, was a great social safeguard, and had much to do with the fact that for the last 50 years and more England had been free from the social movements and revolutions which had so often occurred in other countries of Europe. The hon. Member (Mr. Fawcett) had pointed out the enormous difference between the out-relief in Ireland and in England. Mr. Lambert, who was entitled to speak with authority upon this matter, stated before the Committee on the Scotch Poor Law that England, with a population of nearly 22,000,000 and a rateable value of £100,000,000, had a maximum number of paupers in 1868, comprising in the workhouses 168,000, and out of the workhouses 878,000; while Ireland, with a population of 5,500,000, and a rateable value of £13,000,000, had 62,000 paupers in and only 19,600 out of the workhouses. The total relief in England, in-door and out-door, was £7,673,000; in Ireland, only £829,000, including the sums paid under the Medical Charities Act. The rate in the pound in England was 1*s.* 6*d.*, in Ireland 1*s.* 1*d.* The rate per head of the population in England was over 7*s.*, in Ireland only 3*s.* Yet, upon the best information which Mr. Lambert could obtain, the condition of those who received out-relief in England and Ireland was much the same, and the more stringent administration of the Poor Law in Ireland was carried on with due regard to the interests of the paupers. Though he did not wish to see out-relief brought down to a minimum point, he thought much might be done to put the two countries more on a par in this respect. It was no doubt a very serious evil that the law, so far from encouraging the working classes to be provident, should, by making a provision for every destitute person, actually discourage providence. At the same time, the question was a most difficult one, and he suggested that where a person proved that he had subscribed to a good friendly society for a certain number of years, and would be entitled, in case of illness, to sick pay, he should be allowed a certain amount of relief without the application of the workhouse test. He regretted that he could not vote with the hon. Member (Mr. W. H. Smith) for this Commission, as he did not think the proposed inquiry was necessary, for this reason—the evil was rather in the administration of the law than in the law itself, or the policy of the law, and he did not believe that either inquiry or legislation would put a stop to pauperism. What Parliament should do, was by every possible means to encourage habits of providence, and if the right hon. Gentleman opposite would but turn his attention to that object, besides carrying out in other points the improvements which Parliament had already sanctioned, he was of opinion that there would be very little to complain of in the administration of the Poor Law.

Dr. BREWER said, the complexity of the subject before the House would have prevented his taking part in the debate had not a life-long experience in the practical operation of the Poor Law in the Metropolis led him to a definite conviction that the Poor Law had failed to grapple with the pauperism of the country, or to produce any sensible effect in diminishing its amount or preventing its extension among the people. The real difficulty of the whole question lay in the fact that while the material prosperity of the country had of late years greatly increased, pauperism had not abated so as in any way to indicate that pauperism bore any definite relation to the means the nation possessed of producing and accumulating wealth. Take the imports and exports of the year 1869, as given in the *Statistical Abstract* of 1870, the former amounting to £295,400,000, and the latter, the exports, to £190,000,000; whereas, in 1860, the imports were £210,500,000, and the exports £135,890,000, in round numbers, or well nigh £85,000,000 more of the value of imports, and above £54,000,000 more of the value of exports. Whilst the income of the country is under-estimated at £879,000,000, as might be learned partly from the Return moved for by his hon. Friend the Member for Manchester (Sir Thomas Bazley), and partly by the estimates of gentlemen who might be deemed experts in these calculations. The estimate in respect of lands being given for the year ending 1870, as £133,478,000; that in respect of occupation of lands, £37,447,700; professions and trades and railway returns, £161,594,000; and from public offices, £22,110,858. The estimate of incomes under £200 a-year is given at only £120,000,000, and the manual wages at £370,000,000. The figures adduced, undoubtedly raised the amount of the national income very considerably above the estimate given and accepted by the House in a late debate, and indicated an increase which might be reasonably expected to mark an era of material prosperity; but the pauperism of the year 1869 had shown no decrease in comparison with former years taken in quinquennial average, but a very large increase. There was something, then, the country had to deal with which the Poor Law had not reached, and that was the spirit of pauperism. There was something to be taught that the Poor Law had not attempted to impart to the humbler classes—namely, a distaste for a state of dependence. The way in which the difficulty must be grappled with was by picking out from the general mass of paupers those who were on the sick-list, those who were mentally incapable, temporarily disabled, or incapable from age, whether from one or the other extreme. Up to that point the Poor Law had advanced. These eliminated, a residiuum would be left, and what was to be done with it? He was prepared with a solution. We should educate our pauper classes in habits of industry and progress; and that was to be done, not by the application of the workhouse test, as at present, but by making our workhouses instrumental to the employment of paupers in useful and profitable labour, and thus training them in habits of foresight and discipline. The course he proposed was not deterrent, but educational. He had no faith in the deterrent course—in the attempt to disgust the dependent poor by the offensiveness and uselessness of the task imposed. The sullen temper induced by the workhouse test, as such, was repulsive to the better instincts of the man, and tended to harden in him the spirit of pauperism. It lacked the stimulus of hope, the conviction of usefulness, which the sight and interest of progress fostered; it was essentially repellant and paralyzing. The two main objections to the useful employment of the dependent poor were—first, the competition thereby offered to the self-supporting labouring classes; and the second was the fear lest dependence, robbed of its deterrent character, should be fostered. Neither objection appeared to him valid. Work capable of competing with free labour would soon produce a conviction of its worth in the producer, and generate emulation and foster a spirit of independence incompatible with the spirit of pauperism, and the restraint, discipline, and habits of control which the carrying out of the system of reproductive labour would necessitate, whilst it weakened the habits of thriftlessness and intemperance which lay at the root of pauperism, would render the restraint, companionship, and taint of pauperism distasteful, or even intolerable. He was convinced that for the adult able-bodied pauper labour was the most important element in education. It was, perhaps, the only true and reliable means of education; but we must supply profitable occupations if we intended really to educate our paupers, for there was no education in employment which was not profitable and useful.

MR. KENNAWAY said, that the spread of pauperism had been variously ascribed to be attributed to ignorance, intemperance, and indiscriminate charity. Mr. C. Villiers, in 1832, said that while every other cause had been investigated, the sickness of the poor, which was a large element in its production that had been almost entirely overlooked. It was no doubt the doctor's bill that broke the working man's back; for when sickness came, despair frequently intervened, and the family from being independent sank into the mire of pauperism. Very often illness passed from disorder to disease, and the ratepayers had to suffer from the neglect of medical appliances, or in the delay that arose in bringing them to bear on the sickness of the poor; so they should first look and see if their arrangements for the prevention of disease were satisfactory; and, secondly, whether the appliances for checking disease were such as were worthy of a great country. With regard to the first point, they had the Report of the Sanitary Commission, which had made inquiry, and some of whose recommendations were embodied in a Bill before the House; and with regard to the second—namely, the provision for medical relief, they yearly expended upon it a sum of £282,000, and they had a numerous body of educated and laborious men throughout the country, whose business it was to see that medical relief was properly given. That might seem to be an adequate provision; but remembering that there was a population of 22,000,000 to be dealt with, they had to consider whether it was adequate. The proportion in which medical men were to be appointed, as recognized by the Poor Law, was one to every 15,000 inhabitants—one to every 15,000 acres; but there were 65 districts where that acreage had been greatly exceeded, and 205 districts where the population was over 15,000; 98 medical men had from 15,000 to 20,000 inhabitants to attend to; 48, from 20,000 to 25,000; 28, from 29,000 to 30,000; and 31, with more than 30,000 inhabitants to attend to. Their average salary was stated by the Poor Law Board to be £68, though, according to others, it was only £49 or £50, and with midwifery and accident fees, it probably amounted to £100 per annum, and out of that they had to provide drugs. The class who accepted these appointments were mostly young men who wished to get some private practice, and very often the interests of the poor were sacrificed to that desire; he, however, thought they did their duty as far as they could; but the widespread evil was, that a sufficient provision was not made for the large number of people who were dependent upon them for medical assistance. The medical profession were not themselves satisfied with their position in the matter, and were demanding that an inquiry into the whole subject should be set on foot. It was stated by the Earl of Devon, the late President of the Poor Law Board, in his evidence before the Sanitary Commission last year, that there were not a few cases of neglect of paupers, the preference of these medical men being given to private patients. Reference had been made to the case of Ireland, and it was necessary to show the difference between the English and the Irish systems of medical relief in order to account for the difference in the results. In Ireland, where for the last 20 years medical relief had been administered under the Medical Charities Act, with the greatest success, there were two Commissioners—medical men of not less than 10 years' standing—appointed to act with the Poor Law Commissioners, and medical inspectors of not less than seven years' standing, and none of these medical gentlemen were allowed to practise privately. But the chief point in the trial system was, that the Unions were all divided into dispensary districts, in which relief was administered by committees formed of the ratepayers in conjunction with the Guardians, drugs and medical attendance being provided, and medical help brought home as it were to the people. The medical man also served as public vaccinator, and as registrar of births and deaths. The working of this system had been most satisfactory, as under it the small-pox had been kept away from Ireland almost entirely, and the system itself had been declared by a very high medical authority, Dr. Cameron, the professor of hygiene in Dublin, to be the most admirable one for providing medical relief to the poor existing in Europe. Whereas the number of cases of preventible fevers that occurred annually in England was one in 190, in Ireland they were only one in 308; and while the cost of administering the system was only 3*s*., or, perhaps, even less, per head of the population in the latter country, it was 7*s*. in the former. That was a startling difference, accruing from the better health of the people, in which this sanitary organization was so large an element. It might be said, however, that the difference arose from the difference between the two countries; that people in England were crowded together in densely-populated towns, and suffered from many other matters unfavourable to health which were not to be found in Ireland. But he would compare the two towns of Newcastle and Belfast as a fair test. Newcastle had a population of 110,968, while Belfast had a population of 144,000. In Newcastle there were eight medical officers, in Belfast 18; in Newcastle the amount expended on medical relief was £853, in Belfast it was £3,700; but the total amount spent in relief in Newcastle was £43,000, while in Belfast it was only £22,000. Why, then, should not the Irish system be tried as an experiment in certain parts of this country at the cost of the Imperial Exchequer; and if it were found successful, why should it not be adopted for the whole of the country? With regard to reducing the rates by diminishing the amount of out-door relief, results had shown that the out-door relief system was very shortsighted and very disastrous. In certain Unions with which he was acquainted £9 was spent in out-door relief to £1 spent in the workhouse, and in one Union the proportion was £12 to £1. In one Union 20 persons received out-door relief to one who went into the workhouse, and in another Union the proportion was 26 to 1. The hon. Member for Brighton (Mr. Fawcett) had alleged that the enormous disproportion between the sum expended upon out-door as compared with in-door relief was occasioned by the fact that the poor relief was administered by the employers of labour, who endeavoured to make poor relief supplement wages; but that this allegation was erroneous was clear from the fact that similar results occurred in London, where such a cause did not exist. The statement which had been made to-night was very depressing; but, at the same time, with the organization of charity and the help of the Poor Law, he thought they might look hopefully on the future. Under all the circumstances, he thought a fair case had been made out in favour of granting the Inquiry which was asked for.

Mr. M'LAREN said, he would express no opinion on the merits of the Motion for an inquiry in the Metropolis; but, as to the Amendment for extending it to the United Kingdom, he was opposed to including Scotland, for an inquiry had been going on before a Committee of this House for two Sessions, which must have exhausted the question. His hon. Friend the Member for Brighton (Mr. Fawcett) had contrasted the burden of the poor rates in Ireland and Scotland, greatly to the disadvantage of the latter. His figures may have been quite correct; but they were calculated, without explanation, to leave an erroneous impression. Ireland paid 3*s.* a-head of poor rate, and Scotland about 5*s.* 6*d.* Now, Scotland must be greatly richer than Ireland, because a Return on the Table of the House showed that every family in Scotland paid double the amount of national taxes which everyone in Ireland paid. Why, then, should there be comparatively so many poor in Scotland? The reason was that, in addition to supporting her own poor, Scotland had to a large extent to support the poor of Ireland. Petitions lately presented from Glasgow and Edinburgh showed the working of the two Poor Law systems. He would state that in Ireland the relief was almost exclusively given in the Poor Law Union Houses, and in Scotland mainly by out-door relief; that in the Irish poorhouses the paupers were badly fed, and, besides, disliked going into them; that they came over to Scotland and England and got out-door relief, which they greatly preferred; and that the city parish of Glasgow alone paid, according to their Petition, £3,200 last year for the relief of Irish poor who had no proper claim on that parish. He must also explain that a Bill was now before the House to increase this evil by making Irish poor legally chargeable, who resided in England and Scotland, by a six months' residence, and he called on the Government to declare to-night whether they would support or oppose this Bill, which he considered most unjust to England and Scotland. That Bill did not contain a clause—and it would be a mere mockery if it did—providing that there should be reciprocity on that subject with reference to the English or Scotch poor who resided in Ireland, for there were few such. He would next advert to the boarding out of children, and could say it had originated in Edinburgh, and had worked admirably. These poor children were visited regularly by Inspectors and members of the parochial boards; they attended the same school as other families in the district, and were practically adopted by the parents of the latter children, with whom they were boarded as their own. Finally, when they grew up to manhood or womanhood, they were in no way to be distinguished from the mass of the population. In regard to the great number of poor in the Highland parishes, this was mainly owing to the clearances still going on, although they were supposed to have ended a quarter of a century ago. Men were displaced for sheep and deer. For example, in Sutherland it appeared from the Census results published a few days since that, in place of the natural increase of population of about 12 per cent during the 10 years, there was a falling off of 4 per cent below the Census of 1861; and there was a similar decrease in Caithness and some other counties. The poor who did not emigrate were driven to the villages on the coast, where they could not possibly earn a living, and hence they were forced to come upon the poor rates, thereby increasing them, in some of those parishes, to as much as 5*s.* in the pound. In conclusion, he would urge that while discussing the principles on which out-door and in-door relief should be administered, they must not lose sight of the fact that they should always have the poor with them, and that they would not be doing their duty by forcing them into large poorhouses, breaking up all their home associations; but that they should act in a spirit of Christian sympathy for the really deserving and unfortunate poor.

Mr. HARVEY LEWIS, while thanking the hon. Member for Westminster (Mr. W. H. Smith) for having brought this question before the House, observed that the Amendment of the hon. Member for Brighton (Mr. Fawcett) was one which could not be resisted, because he held that the poverty of the Metropolis greatly depended on the poverty of the country. In his opinion, legislation had the effect of inducing paupers to resort to the Metropolis, in the belief that, if once they got there, they would at all events find means of subsistence. The Houseless Poor Act, passed a few Sessions ago, was most difficult of operation. Every humane man was anxious to give food and shelter to the destitute; but it unfortunately happened that many professional destitutes habitually visited the Metropolis, and refused to do anything in return for the relief given to them. The subject as to how far the country was responsible for the poverty of London, and how far the poverty of London was due to itself, was one well worthy of consideration by the Commission which he hoped would be appointed. The Commission might also inquire how far it was desirable to control the power of Guardians, who being directly charged with the relief of the poor were placed in an anomalous position. Elected by the ratepayers—whose interests he felt bound to consult—a Poor Law Guardian had very little power and great responsibility. Again, whenever a case of hardship occurred, the complaint to the Poor Law Board, and any investigation that might follow, were attended with so much red tape, that the conduct of an official, however improper, could not possibly be fully ascertained by the Board without much difficulty and loss of time. The House ought not only to consider the interests of the poor, but the interests of the poor rate payers. He did not believe that they were anxious to shirk their responsibility; but they considered that they ought to have some share in the distribution of the funds which they contributed. He could not see any valid objection to the appointment of a Commission, which would be an enormous advantage to the Poor Law Board itself; and a great responsibility would be taken off their shoulders if the House acceded to the Amendment of the hon. Member for Brighton.

Mr. WHALLEY said, he agreed in the main with the last speaker. He thought they must recognize the fact that the Poor Law Board itself was in course of being tested, and that the experiment was a complete failure; moreover, he believed that while the present principle obtained of a central body, which knew nothing, ignoring the feelings and actions of local bodies, who knew everything, of the subject in question no other result would be attainable. He objected strongly to the continuance of a system which, established 30 or 40 years ago, had been matured by means of measures which had settled and concentrated the whole power of the administration in the Poor Law Board sitting in London, and had superseded the powers of local Boards of Guardians—a proceeding which had never been acquiesced in by the country.

Mr. M. CHAMBERS said, he was old enough to recollect the passing of the Poor Law Amendment Act. From time to time, great complaints had been made, and much suffering had been felt by the poor who ought to have received relief, but, in too many instances, had been unable to obtain it; whilst, on the other hand, the ratepayers objected to the abuses of the system of out-door relief. Since the Act had come into operation, the Guardians and local authorities had been perpetually at war with the Poor Law Board. In his opinion, that continual strife had now come to a crisis, and the question arose—How was that uncomfortable state of things to be put an end to? The Guardians and the Poor Law Board were always quarrelling; and amidst the disputes which had been going on, the pauper population were continually complaining, particularly with respect to out-door relief. On the passing of the Act, it was laid down that no out-door relief was to be given; but that rule, if universally applied, was considered a most inhuman and bad policy, and when the Guardians began to be more humane, they were checked by the governing authorities, and disagreeable contests arose. Out-door relief was given in some parishes, whilst it was refused in others, and the Poor Law Board were sometimes called upon to say, whether they would sanction that which was contrary to the law. Another serious question had arisen with respect to the employment of the medical officers—or what he would call the hiring of medical men, at a miserably small salary, or stipend, or wages for attending large numbers of poor people who were called paupers. He did not say that the Guardians had not been frequently to blame, but the Poor Law Board had encouraged them in this niggardly economy; and the medical profession had been partially, if not entirely, degraded, and no one could doubt that the poor suffered from that degradation. He was quite at a loss to conceive why the proposed inquiry should not be granted. Who could say whether these two Resolutions, the principal Motion and the Amendment, ought to be opposed? Just mark what they were—

> "To call attention to the operation of the Poor Law within the metropolis; and move an Address for a Royal Commission to inquire into the policy and the administration of the Law;"

and then the hon. Member for Brighton said the same evils prevailed throughout the kingdom as existed in the Metropolis, and he proposed to add the words "in the United Kingdom." Ought not the disputes between the Poor Law Board, the Guardians, and the recipients of relief to be inquired into and settled? He thought they ought to be; and he cared very little whether the means were a Committee of the House of Commons or a Royal Commission.

Mr. HIBBERT said, he would appeal to the hon. Member for Westminster to withdraw the Motion, since he had effected the purpose for which he had made it, by drawing attention to the working of the Poor Law in the Metropolis. The speech of his right hon. Friend (Mr. Stansfeld) must have satisfied the hon. Member that he might safely leave the question in the hands of the Poor Law Board. With regard to the statement of the hon. and learned Gentleman (Mr. M. Chambers), it was not right to assume that the Poor Law Board and Boards of Guardians were constantly battling. On the contrary, Boards of Guardians generally looked upon the Poor Law Board as a friend and adviser in cases of difficulty. There might be instances in which the Board had to use a controlling influence over Guardians, and it was quite right that such an authority should exist, because the Board were created for the purpose of controlling expenditure and the mode in which relief should be given; while, as to the utility of the Board, he might mention that, in 1834, they reduced the poor rates from £7,000,000 to £4,500,000. The hon. Member for Marylebone (Mr. Harvey Lewis) complained that Boards of Guardians were not allowed to appoint their own officers without consulting the Board; but in 1867, a General Order was issued, allowing Boards of Guardians, apart from the Metropolis, to appoint subordinate officers and fix their salaries without reference to the Poor Law Board. In the matter of out-door relief, it appeared from a Report sent in in 1869, to the Poor Law Board, that while Liverpool had 21 relieving officers, and Manchester nearly the same number, St. Pancras, with a population of 98,000, had only one relieving officer and five assistants. Bethnal Green, with a population of 105,000, had only three officers; and Shoreditch, with a population of 120,000, had only two officers and a paid clerk. It was impossible to carry out a proper system of out-door relief without having a sufficient number of relieving officers; and, according to this comparison, London was certainly not sufficiently supplied. Another desirable amendment of the London system would be, to secure a proper periodical revision of the list of out-door paupers, either by a committee or by the Board itself. This alone would produce a large reduction of expenditure. The hon. Member for Westminster had stated that the number of out-door paupers in London on the 1st of January, 1870, was 121,000, and of in-door 31,000. But the 121,000 were not all able-bodied; 31 per cent were either very old or permanently disabled; 34 per cent were women and children, who had been deserted or had lost their supporters by death, and were consequently destitute; and 34 per cent were families or single men in poverty through sickness or want of work; of the 34 per cent under the third head, only 3·8 per cent were adult males, relieved on account of want of work. He would supplement the statement made by the President of the Poor Law Board on the subject of boarding out, by saying that 28 boarding-out committees had been formed in various places in the southern and northern counties, some of which were in communication with

Boards of Guardians in the Metropolis, and it was hoped they would do much good. He concluded by promising that every suggestion made during the debate should be carefully weighed, and that nothing should be left undone to secure the object the hon. Member for Westminster had in view; but it was necessary also to go to the root of the matter, and he hoped for much in this direction from the Education Act and the passing of the Licensing Bill now before the House. He would again urge upon the hon. Member not to press the Motion.

Mr. EASTWICK said, had his health permitted he would have seconded the Motion, on the ground, not that the Poor Law was badly administered, but that it was most desirable that they should see how far the new movement of the organization of charities could be made to work harmoniously with the Poor Law Board. He did not rise to find fault with the Poor Law Board, because he believed it was carrying out, as efficiently as possible, that which was said to be its proper principle—namely, the combination of the maximum of repression with the minimum of relief; but simply to point out that on the Continent, in several places, pauperism had been almost extinguished by the efforts of the general public; and in one town, Elberfeldt, where voluntary inspectors of the poor were appointed, and where the question had been investigated most carefully and with the most successful results, it had been laid down as a principle that no one should have the care of more than four indigent persons. Now, in this country, a relieving officer had the care of a district so large, that it was impossible he could make himself acquainted with every case. In the town referred to, the division into small districts was so complete that the principle he had stated could be carried out. Something should be done in reference to the immense number of charities, many of which, instead of being beneficial, had a most demoralizing influence. This should be looked into, and he thought it was desirable that there should be a director general of charities appointed by the Government. He hoped that the question would be brought under the notice of the House again next Session, and that then he should have an opportunity of stating his views.

Amendment, by leave, *withdrawn.*

Mr. Hibbert

BABY-FARMING.

MOTION FOR A SELECT COMMITTEE.

Mr. CHARLEY, in moving for a Select Committee—

> "To inquire as to the best means of preventing the destruction of the lives of infants put out to nurse for hire by their parents,"

explained that, as he understood the Bill, which he had introduced on that question by the desire of the Government, was to be opposed, and that they were willing to grant him an inquiry into its subject-matter, he thought it advisable on his part to accept the alternative thus offered to him. The mortality among children put out to nurse for hire by their parents was frightful, and such as to call for the interference of the Legislature to check it. From inquiries, recently made, it was discovered that, in various parishes, illegitimate children perished at the rate of 46, 53, 87, 93, and 96 per cent respectively, two-thirds of whom were put out. In France generally, the mortality was from 60 to 90 per cent; but in Lyons, where the nurseries were inspected, the rate of mortality was only 20 per cent. Parliament had always interposed on behalf of various classes that were more or less defenceless; but no class could have a stronger claim upon its protection than the poor infants to whom his Motion referred, for their condition was worse than that of the slave before the period of emancipation; because, although the planter might have ill-used his slave, it was not his interest to destroy him; whereas the baby-farmer was strongly tempted by her interest to ill-use the unhappy infant confided to her care with the deliberate intention of causing its death. The hon. Member concluded by moving for the Select Committee, of which he had given Notice.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire as to the best means of preventing the destruction of the lives of infants put out to nurse for hire by their parents,"—(*Mr. Charley,*)

—instead thereof.

Mr. BRUCE said, it might perhaps mitigate the disappointment naturally felt by the hon. Member, at being unable to advance his Bill, to learn that the Government, after seriously considering that subject, and preparing several sketches of a measure for dealing with it, had not been able to frame such a measure upon it, as they could venture with any confidence to offer to the House as furnishing a satisfactory solution of the question. The subject was therefore one which very fairly demanded inquiry; because, although the terrible punishment which lately overtook one unhappy woman, engaged in that nefarious trade in the lives of infants, might tend for a time to check the evil, yet the traffic might speedily revive; and, moreover, the mortality among illegitimate children put out to nurse was very great, even supposing that no violence or deliberate cruelty was exercised to produce it. An Inquiry, therefore, into the whole subject might advantageously be instituted; and he was glad to find that experienced Members of the House were willing to serve on the Committee, to the appointment of which he had much pleasure in assenting on the part of the Government.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Ordered, That a Select Committee be appointed to inquire as to the best means of preventing the destruction of the lives of infants put out to nurse for hire by their parents.

And, on May 10, Committee *nominated* as follows:—Mr. Sclater-Booth, Dr. Brewer, Mr. Jacob Bright, Mr. Charley, Sir Thomas Hesketh, Mr. Illingworth, Mr. Keown, Mr. Kinnaird, Mr. William Johnston, Viscount Mahon, Mr. Melly, Dr. Lyon Playfair, Mr. Raikes, Mr. Richard Shaw, Mr. W. M. Torrens, Mr. Walpole, and Mr. Winterbotham:—Power to send for persons, papers, and records; Five to be the quorum.

DUCHY OF LANCASTER.

OBSERVATIONS.

Mr. Alderman W. LAWRENCE, in rising to move, pursuant to Notice—

"That it is advisable that the Woods, Forests, and Land Revenues of the Duchy of Lancaster be placed under the control and management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and that the Commissioners be represented in Parliament by a First Commissioner of Woods and Forests in the same manner as the Department of Her Majesty's Works and Public Buildings is now represented by a First Commissioner of Works and Public Buildings; and also that the office of Chancellor of the Duchy of Lancaster be abolished,"

said, he held that there were three great Crown properties—namely, the Duchy of Lancaster, the Duchy of Cornwall, and the lands and revenues commonly called the Woods and Forests and Land Revenues of the Crown. Those properties were all placed under different constitutions, treated in different ways, and their revenues appropriated to different purposes; yet they must be regarded as Crown properties, over which the nation had different methods of exercising its rights in respect to them. As the accounts of the Duchy of Lancaster were annually placed before them, and also before the Treasury, the House was perfectly justified in going into these matters. The revenues of the Duchy were not so large as those of the other Crown properties, for in 1870 the actual receipts were £42,722—

Mr. SPEAKER: I am not aware whether the hon. Member proposes to make a Motion. A Minister has assented to the Motion of the hon. Member for Salford, for a Select Committee to inquire as to the best means of preventing the destruction of the lives of infants put out to nurse for hire by their parents. That Question being assented to, the Question that I now leave the Chair is superseded.

Mr. Alderman W. LAWRENCE: But the Question was not put from the Chair; and although my observations may not be relevant to the Question brought forward by the hon. Member for Salford, yet, the Question not having been put, I am not aware that I am out of Order.

Mr. CAVENDISH BENTINCK rose to Order. A compact was entered into in 1860 between the Government and the independent Members that, as soon as an Amendment was disposed of, it was the duty of the Government to revive the ordinary Motion to go into the Committee of Supply. If that were done, the hon. Member for the City of London would be at liberty to proceed with his Motion; and should that be negatived, it would be competent for any other Member to speak to the ordinary Question that the Speaker do now leave the Chair.

Mr. SPEAKER: The original Question was, that I do now leave the Chair. To that the hon. Member for Salford moved an Amendment that a Select Committee should be appointed to inquire as to the best means of preventing the destruction of the lives of infants put out to nurse for hire by their parents. That Amendment was assented to by the Secretary of State for the Home Department. The adoption of the Amendment supersedes the Question That I do now leave the Chair. But, certainly, it is a course which has been followed on previous occasions that under such circumstances the Government should revive the Motion for the Committee of Supply.

After a short pause,

MR. GLADSTONE said: I wish to state that there is a difficulty in this particular case. My opinion is, that the Motion is one as to which the Government can hardly exercise any option in order to promote a discussion, because it relates to a matter that is not the subject of a compact between the Crown and Parliament. The affairs of the Duchy of Lancaster are entirely under the control of the Crown, subject to certain conditions. Even if it is optional on the part of the Government—and I conceive that the Motion of my hon. Friend is scarcely a regular one, and one which, I think, the House on its merits would scarcely entertain—I should feel very great difficulty in exercising that discretion. It is, I think, beyond the usages of the House to address the Crown upon matters which have not been made matter of compact between the Sovereign and the Parliament. That part of the Motion which relates to the Woods and Forests is, I think, perfectly relevant; and if my hon. Friend sees the difficulty, and will withdraw that portion of his Motion which relates to the Duchy of Lancaster, and if it be a matter of good faith on the part of the Government to renew the Motion for going into Committee of Supply, of course I am quite willing to act upon that.

MR. ALDERMAN W. LAWRENCE said, he would withdraw that part of the Motion.

SUPPLY.

Resolved, That this House will immediately resolve itself into the Committee of Supply.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. ALDERMAN W. LAWRENCE said, that his main object in bringing forward this Motion was to induce the Government to have one responsible Member of their body in the House of Commons who should represent the Woods, Forests, and Land Revenues of the Crown, so that proper information could be furnished to the House; and had he been allowed to complete his observations on his original Motion, he would not have said anything that could have been in any way objected to by any hon. Member who had represented the Duchy of Lancaster. He thought it was curious that the Duchy had a Chancellor, Vice Chancellor, and other officers, whilst the Duchy of Cornwall, with twice the revenue, had nothing of the kind. Formerly there was one Department which managed the Woods, Forests, Works, and Public Buildings; but in 1851 a separation took place. In that same year the Hainault Disafforesting Act was passed, without one word of explanation as to the object and effect of that Act, and the public were thus deprived of that beautiful forest, which was nearer the East-end of London by three or four miles than Epping Forest; no one knew anything about the matter until the Act came into operation. Soon after commenced the sale of the Crown Rights in Epping Forest, which were sold, he believed, in contravention of an Act of Parliament. In consequence of the separation of the two Departments, there was no representative of the Woods and Forests in the House, and the operations in reference to these forests were carried out in a way that was most distasteful to the public. The Commissioners of Woods and Forests had also so mismanaged the foreshores throughout the country that the care of them was handed over to the Board of Trade, in 1866; they had likewise thrown impediments in the way of the formation of the Thames Embankment, and endeavoured to prevent the public road being continued along the Embankment to Westminster, by diverting it at Whitehall, and they were only overruled by the power of the Prime Minister. Again, there was difficulty with regard to the New Forest; and the whole policy of the Woods and Forests Department was one that was not in accordance with the views of the people.

A Report of the Commissioners in 1850 stated that probably rights of common in forests had been allowed by way of indulgence, as making up for the strictness of the forestal rights of the Crown, and that the Sovereign should not be considered as a lord of the manor, but as the owner of a forest; that the rights of common should not be dealt with as those of commoners over a manorial waste; and, in case of any arrangement being come to for the suppression of the rights of the Crown, a corresponding part of the forest should be severed for the use of the Sovereign and the public. The rights of the Crown were therefore not small rights, and should not have been sold for £5 an acre, as had been done in the case of Epping Forest. The policy of the Woods and Forests would never be of a satisfactory character until there was some responsible Head to answer for it in that House. As a specimen of the present management, he would ask if anyone walked along the Thames Embankment would he not be disgusted with seeing on the one side a long, dull wall shutting out the view, while on the other there was a beautiful view of the river? Instead of the wall there should have been an iron railing, with ornamental trees inside; and he thought it was a most miserable sight, and most disgraceful to the Woods and Forests, that a dead wall should be placed along public property, and no attempt made to adorn that property. Then look again at Park Lane; that beautiful thoroughfare would never have been widened or continued through Hamilton Place by any action of the Woods and Forests. He thought he had made out a case for some different arrangement as to the Crown lands generally, and that there ought to be a responsible representative in Parliament able to answer for the Department; therefore, he should conclude by moving his Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is advisable that the Commissioners of Her Majesty's Woods, Forests, and Land Revenues be represented in Parliament by a First Commissioner of Woods and Forests, in the same manner as the Department of Her Majesty's Works and Public Buildings is now represented by a First Commissioner of Works and Public Buildings,"—(*Mr. Alderman Lawrence,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER said, he would not, at that hour of the night, go into the numerous questions raised by the hon. Gentleman; but he would remind the hon. Gentleman, who contended that the Department had given great dissatisfaction, and that, therefore, the Department ought to be represented in Parliament, that the fact of the Woods and Forests being a Revenue Department, and, therefore, bound to watch over the interests of the whole of the public, was sufficient in itself to excite dissatisfaction. He could not, however, see that the remedy proposed by the hon. Gentleman would be of any avail, though if it were a fact, that the Department was at this moment unrepresented in the House of Commons, and that there was nobody responsible for the conduct of its affairs, there would be much force in the hon. Gentleman's arguments; but the fact was, that the separation of the Woods and Forests from the Department of Works was made some 21 years, after considerable investigation, and was not a change lightly to be disturbed. So far from there being no representative of the Department in that House, the Chancellor of the Exchequer was himself directly responsible, and if they created a fresh office, with fresh responsibility, the occupant of that office would either not be under the control of the Treasury, in which case they would have the anomaly of a Revenue Department over which the main Department had no control, or he would be under the direction of the Treasury, in which case he would be merely the double of an existing representative of the Department; and the responsibility would, in some degree, be frittered away, because there was some person who interposed between the Treasury and the direct responsibility which the House had a right to expect from them. He could not, on these grounds, accede to the Motion of the hon. Gentleman.

MR. LOCKE said, he certainly thought the explanation of the right hon. Gentleman the Chancellor of the Exchequer most extraordinary, when he said that there was somebody responsible for the Woods and Forests in that House, When the Woods and Forests were brought before the House, they appeared to be a most extraordinary and nondescript class of people; they belonged to nobody and took no interest in anybody. All they said was this—"All we have to do is to be money-grubbers, and to get as much money as we possibly can out of the public." With regard to Blackheath, the Woods and Forests made this declaration, in a Committee with which he had been connected—

> "For the sake of £50 a-year, we allow great holes to be dug in Blackheath; and we sell gravel and put the money in our pockets; and we are responsible to nobody; and if we effect that object, we consider we have performed our duty."

That very point had been brought before the House over and over again. The right hon. Gentleman said there was a Minister in the House responsible and able to give a sufficient answer when a question was put. When any grievance was brought forward, had there ever been anybody sitting on the Ministerial bench able to give a satisfactory answer in the slightest degree? There never had been; and the House had gone on from time to time, complaining of the course which had been pursued by these Woods and Forests, and there had not been the slightest attempt on the part of the Government to give any satisfaction to the public. He thought that the Motion of the hon. Member for the City of London was most opportune. He never knew before that the Chancellor of the Exchequer was to answer for all the shortcomings of the Office of Woods and Forests; for his part, he should like to have an answer like that given by his right hon. Friend the First Commissioner of Works. It had been complained that his right hon. Friend gave curt answers; but he (Mr. Locke) did not complain of them, because they were straightforward and sensible; but with respect to the Chancellor of the Exchequer and such exalted individuals, they never gave any answer at all. What sort of answer had the Chancellor of the Exchequer given that night? He had slurred over the question. What his hon. Friend the Member for the City of London required was a definite answer. He did not think there was anybody in the country which did its duty so badly as the Woods and Forests, and he thought it would be better to turn the Department over to the First Commissioner of Works, than to leave it as it was at present. He should support his hon. Friend if he carried the question to a division.

Mr. GOLDSMID said, that whenever a Committee came to clauses in a Bill affecting rights to foreshores, they were told, on behalf of the Crown, that the clauses could not be discussed, but that they must be accepted as they had been sent in by Mr. Gore. That was a most improper manner of meeting a Committee, and it was time that so bad a practice should be put an end to, and that the Department should be made subordinate to the House. In saying that, he did not want a new office to be created; the Department might be managed by the Chancellor of the Duchy of Lancaster, who had nothing to do; and then Mr. Gore could be abolished. The rights which were originally vested in the Crown for the benefit of the public ought not to be used to the detriment of the public as they were now by the Woods and Forests. It was an office that required the light which would be surely thrown upon it by a little public criticism. For these reasons he should vote for the Motion.

Colonel WILSON-PATTEN rose to defend two public officers, who had been attacked in a most improper manner. They discharged their duties efficiently, and the public derived the benefit of every farthing they saved. He had not a word to say to the Motion; but he was surprised no Member of the Government had risen in their defence.

Mr. LOCKE disclaimed the idea of making any such charge. What he meant to say was, that they had put money into the pockets of the Department.

Colonel WILSON-PATTEN was willing to accept the explanation; but he felt bound, though he had no connection with them, to vindicate the conduct of gentlemen who had sought to do their duty to the public.

Mr. GLADSTONE said, that he was glad that the officers to the Commissioners of Woods and Forests should have received some other than official testimony in their favour, but they should receive official testimony also. He must say, he knew of no public officers who stood in a more irreproachable position, and he was glad that that appeared to be understood. He wished, however, to point out to his hon. and learned Friend (Mr. Locke), and also to his hon. and gallant Friend opposite (Colonel Wilson-Patten), that it was impossible to dispose of such a subject as that under discussion by such a Resolution as was then before them. The subject could not be disposed of on grounds so narrow as that proposed by the Motion, as it was a very large one indeed. The question had been for many protracted years before the House, and had received its careful consideration. It had also been made the subject of most laborious Government inquiries, and it was those laborious inquiries which led to the introduction of the present system. He did not say that the present system was beyond criticism; but he would say that it was not a matter to be dismissed by a conversational debate of that kind. There was a complete fallacy involved in the use of the word "public" in that and similar discussions. There were two publics; there was a local public, and a general public; and Parliament had appointed a Commissioner of Woods to sit on behalf of the general public, and sometimes the Commissioners came in conflict with the local public. This difficulty could only be got over by careful consideration and inquiry, and not by precipitate and sweeping Resolutions, for it was not the case only of Blackheath or the Thames Embankment that this question raised. Go to Scotland, and there they complained that the interests of Scotland were disregarded by the Commissioners, and with respect to the rights of the foreshore at Birkenhead the same question was raised. It was the rights of the nation that were concerned, and no other. If they were to alter the system now established, the alteration would only enable the House of Commons to manage a considerable property; but that property was one of the bases of the dignity of the Crown, and was it on every occasion to be made subject to a Resolution of the House of Commons? He admitted, however, that this property ought to be liberally dealt with. Under all the circumstances, he expressed a hope that his hon. Friend would not press the House to a division.

Amendment, by leave, *withdrawn.*

CAB REGULATIONS.—OBSERVATIONS.

MR. CAVENDISH BENTINCK, in rising to call attention to the increase of hackney carriage fares under the Regulations dated 10th March last, said, that on last Tuesday week a most extraordinary circumstance occurred. On that occasion he had a Notice on the Paper similar to the present one, with a view to put some questions to the Home Secretary on the subject of the recent cab regulations. He had virtually concluded his statement, when a supporter of Her Majesty's Government, a Member for a small village in Ireland, where not only were there no hackney carriages, but the accommodation of an outside car could hardly be procured, moved that the House be counted. The principle of "counting" was a very useful one, but the right, like every other right, ought to be exercised with judgment, for nothing could be more inconvenient than that when a Member had concluded his statement, the House should be counted out so as to preclude the Minister from making an answer. He knew that the right hon. Gentleman the Home Secretary was very much annoyed at what had been done on the occasion to which he referred. However, he would not go over the subject again, but would merely recapitulate the objections which he had urged before. His first objection was, that the Hackney Carriage Regulations had been suddenly issued on the 10th of March last without any notice to the public; and he ventured to suggest that it would be very easy for the authorities to give the same publicity to those regulations which they did now to regulations respecting Her Majesty's Drawing Room and other public ceremonials. His second objection was that, having regard to the remission of taxation on hackney carriages, it was not proper that the fares should be increased, and he noticed particularly the case of a two-wheeled vehicle being allowed to charge 8*d.* for a quarter of an hour's delay, observing on the inconvenience of it on the ground that 8*d.* was "broken money." His third objection was, that a hack cab was allowed to charge a shilling fare. For instance, if a carriage was hired at Charing Cross, for a distance just beyond the four-mile circle, the fare would be only 3*s.*; but if a person hired the carriage on the return journey, he would have to pay a charge of 5*s.* His last objection was, that the driver of a hackney cab was allowed to charge 2*d.* for every parcel outside, even when there was only one traveller. He suggested that such a charge should not be allowed, except when, at least, two persons were inside. There were two or three other points to which he wished to call attention. He thought it would be a very easy and inexpensive matter for the Home Office or the Board of Works to measure the distances along the principal thoroughfares, and place a record every half-mile on sign-posts or the lamp-posts for the guidance of the public. A similar plan was found to succeed at the Kensington Museum. It was also important that legible fare-boards should be placed on the stands and in the stations; and he thought it was singular that there were none of these boards in the City. Probably few hon. Members had ever seen the tickets which cab-drivers were required to carry with them; but the one which he had in his hand would show that they were of a substantial character and almost as large as the driver's plate. He could not understand how the right hon. Gentleman could expect a hackney coach driver to have with him a sufficient number for his passengers, and thought it would be better to substitute the smaller ticket formerly used in France. The hon. Member for Windsor had intimated a few days ago that he was about to move for a Committee to inquire into the police system, and he (Mr. C. Bentinck) would suggest that such a Committee would afford a convenient opportunity for instituting an inquiry as to the cab regulations in the Metropolis.

Mr. BRUCE said, he was obliged to the hon. Member for Whitehaven for giving him this opportunity of answering the charge which had been made, and of removing a great many misapprehensions on the subject of cab legislation. The hon. Gentleman complained that the recent regulations had not been made sufficiently public, and suggested that they should be made known in the same manner as the regulations whenever Her Majesty held a Drawing Room; but the regulations extended over so large a space and were so voluminous that hardly anybody would read them. Some 3,000 copies, however, had been sent to the persons most interested; and notice had been given that every cabman must produce a table of distances, with which was a copy of the regulations, and, moreover, every cab carried a large place on which the points of the greatest interest were indicated. Much unjust criticism had been passed upon him with respect to cab legislation. He would remind the House of what was the previous legislation on the subject. In 1854 the payment for cabs was 8*d.* per mile, when Mr. Fitzroy, the Under Secretary for the Home Department, brought in a Bill which introduced the fare of 6*d.* Thus, while cabs bore an exceptional rate, they were allowed to charge a lower fare than cabs in other towns. In Liverpool, under the free trade system, the charge had subsided into 1*s.* per mile; and in Leeds the civic authorities had raised the fare to that amount from 9*d.* In Manchester, the fare was 9*d.* per mile; in Birmingham, 8*d.*; and in Bristol, 1*s.* The Chancellor of the Exchequer in 1869, brought in a measure which relieved the metropolitan cab proprietors from a very heavy duty, and at present all charges amounted to £4 17*s.* 6*d.*; so that they were better off by £14 13*s.* 6*d.* About the same time he (Mr. Bruce) brought in a Bill to provide for the cost of inspection, and under that measure his strict duty would simply have been, with the assistance of the Chief Commissioner of Police, to have secured for the public the benefit of a thorough inspection of cabs, which up to that time had been defrayed by the Treasury. Accordingly, he (Mr. Bruce) brought in a Bill to levy on each cab a charge which would cover the cost of inspection. But he thought the introduction of that measure was a fitting occasion to secure to the public a better vehicle than the four-wheeled cab, which, although it was useful, did not supply all the wants of the public. With that view he proposed that cab proprietors should be allowed to charge what they chose for the use of their cabs; that the system of free trade should be extended to them. No practical use was made of that privilege. It had been said that the reason was that the cab proprietors were not sufficiently consulted. That was not the fact. The cab proprietors were taken into counsel; the objects of the Government were fully explained to them, and every encouragement was given to them to provide a better vehicle. After a very short time they adopted a uniform charge.

The free-trade system was tried for a twelvemonth, and had failed. Meantime, he and the Chief Commissioner had done all they could under the circumstances to take the greatest care of the public by insisting that the vehicles should be in better order than before. They could not at once sweep away 7,000 cabs; but, within the last year, they had made no less than 1,537 cabs and 1,337 cab horses disappear. The Hansoms were better now than they had been in any former period, and a better sort of four-wheel cab had replaced the rattletraps that used to exist. It was true the Hansoms had been allowed to make an extra charge; but he thought the improvement manifested by that description of cab would entirely account for it. The fare when outside the four-mile circle was allowed to the cabmen as some recompense for the loss that did not accrue when he plied for hire nearer the centre of the Metropolis; and, to prevent the continual disputes that occurred about luggage, it was thought better to fix the charge at 2*d.* on every article carried outside the cab. With reference to lamps, he had not thought it necessary to interfere, as last year only 11 persons were killed by cabs, and 86 were killed by all other kinds of vehicles; so he thought that to enforce lamps on cabs and not on other vehicles would be very unjust to the cabmen, and very little public good would come of it. When the new Metropolis Act was passed, which he hoped would not be long, it would be very desirable to transfer the Secretary of State's power over cabs to the local authorities; and with regard to all other matters he would at once communicate with the police in reference to them.

Mr. CHARLEY said, there was still room for considerable improvement in the cabs used in the Metropolis. The public would ride in them if they were provided; but they would not assist in putting them on the stands.

IRELAND—RAILWAYS.—RESOLUTION.

Mr. HERON, in rising to move—

> "That legislative facilities ought to be afforded to the Treasury in order that an Imperial guarantee may in proper cases be given for the interest on capital to be provided for the purpose of completing the Railways of Ireland already authorized by Acts of Parliament,"

said, that in 1835 the Committee appointed to inquire into the subject reported that it was the opinion of all persons who had considered it, that Imperial guarantee was the best remedial measure that could be provided for Ireland.

Mr. VANCE said, he seconded the Resolution. The Government had guaranteed the capital of railways to a very large extent in India; and seeing the small amount involved in the Irish railways — only some £4,500,000 — he thought they ought to adopt some similar course with regard to these railways, either by purchasing the railways up altogether, or by guaranteeing the necessary capital.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "legislative facilities ought to be afforded to the Treasury in order that an Imperial guarantee may in proper cases be given for the interest on capital to be provided for the purpose of completing the Railways of Ireland already authorised by Acts of Parliament,"—(*Mr. Heron,*)

—instead thereof.

Mr. BRUEN said, he should support the Motion. As matters stood at present, the public of Ireland suffered very materially from the manner in which the railway system was managed, for that railway system was broken up into a number of small lines, and the traffic of the country was thereby thrown entirely out of its proper course. He suggested that a great deal of benefit would result from the Irish railways being placed to some extent under the Government, who might form a central Board of Management in Dublin to arrange the whole of the railway affairs of the country.

The CHANCELLOR of the EXCHEQUER said, he could not agree to this Resolution. In the case of the guarantees to Indian railways, which had been referred to, those guarantees were given before the lines were constructed, and were only intended to cover any future difficulties into which railway undertakings might be thrown. The case of the fresh railways, however, was not of the same nature. The construction of these railways had already been sanctioned by Parliament; but, as the promoters could not find sufficient money to go on with them, they were already in the extremest state of default. It would really be shorter work for the Government to pay money for them at once, and nothing could be more dangerous than the adoption of such a principle as that now proposed.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 75; Noes 14: Majority 61.

Main Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Coatham, Hythe (Southampton), Johnshaven, Newlyn, and Redcar.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. ARTHUR PEEL and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read the first time. [Bill 127.]

GAS AND WATER PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of Mr. ARTHUR PEEL, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The Gas and Water Works Facilities Act, 1870," relating to Aldeburgh Water, Birkdale Gas, Bognor Gas, Bognor Water, Burgess Hill and Saint John's Common Water, Frome Water, Gisborough Water, Hawkhurst Gas, Herne Bay Water, Holywell Water, Knutsford Gas and Water, Northampton Gas, North Middlesex Gas, Pembroke Docks and Town Gas, Portmadoc Water, Southbank and Normanby Gas, Southend Water, Staines and Egham Gas, Stourbridge and Taunton Gas, *ordered* to be brought in by Mr. ARTHUR PEEL and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read the first time. [Bill 128.]

House adjourned at a quarter after
One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 8*th May,* 1871.

MINUTES.]—*Sat First in Parliament*—The Lord Elgin, after the death of his father.

PUBLIC BILLS—*First Reading*—Adjutants (Jury) Exemption* (101); Bills of Exchange and Promissory Notes* (102); Metropolitan Commons Supplemental* (103).

Committee—University Tests (26-104).

Third Reading — Ecclesiastical Dilapidations* (92), and *passed.*

The Chancellor of the Exchequer

ARTILLERY—PERSONAL EXPLANATION.

THE EARL OF CARNARVON said, he did not often trouble their Lordships with any personal explanation; but he now felt bound, in justice both to the House and himself, to do so. On Friday night he (the Earl of Carnarvon) in calling attention to our artillery force dwelt on the relative strength of batteries of artillery under a peace and a war establishment. There was no difference between himself and his noble Friend opposite (Lord Northbrook) as to the peace establishment; but a very great difference as to the war establishment; and thereon his noble Friend took him more severely to task and impugned his figures more severely than he thought had been his general practice; and therefore he thought that it was not only due to their Lordships' House, but also to himself, that he should endeavour to show that he did not make his statement lightly, or without full and careful consideration. His own statement was that a horse artillery battery on a war establishment consisted of 228 officers and men; while his noble Friend contended that its strength was 169 officers and men; the difference between that and a peace establishment being, according to his own statement, 80, and, according to his noble Friend's, only 21. Again, his own statement was that a battery of field artillery on a war establishment consisted of 277 officers and men, while his noble Friend gave the number as 169, the difference between this and a peace establishment being stated by himself as 128, and by his noble Friend as 20. Now, he had known his noble Friend long enough to feel sure that he was incapable of any intentional mis-statement. On the other hand, he hoped his noble Friend would acknowledge that he was not in the habit of making assertions which he (the Earl of Carnarvon) had not carefully endeavoured to verify. He would quote authorities which he thought would vindicate his accuracy in the present case. A book published by the Topographical Department of the War Office, under the editorship of Sir Henry James, entitled *Strength of the Army of Great Britain,* gave 228 as the number of officers and men of a horse artillery battery under a war establishment, and 227 as the number of officers and men of a field artillery battery—this agreeing with his own figures. Again, the *Army Equipment Book*, issued by the Statistical Department of the War Office, gave the same figures. So also did the *Soldier's Pocket Book*, which was drawn up by a distinguished officer, General Wolseley, who had the command of the Red River Expedition. He had not a recent copy of the *Handbook of Field Service*, which had a *quasi*-official authority; but he was told that it gave the same numbers. Moreover, a War Office Return, dated August 9, 1870, and signed "Edward Cardwell," giving the numbers to which each battery was being made up, gave 185 as the strength of a battery of horse artillery, and 35 as the further number which would be requisite to put it on a war establishment, the total being 220. This differed only by eight from his own statement, this difference representing the eight officers who formed the complement of each battery of artillery, whether field or horse. The Return gave 269 as the strength of a battery of field artillery on a war footing, which, again, was eight less than his own figures, for a reason he had just explained. He thought the House would see that his statements were not made lightly or without ample justification. His noble Friend drew a distinction on Friday between a battery of artillery placed on a peace establishment and a battery placed on a war establishment for home defence; but the latter term he had never heard before; and, on inquiry, he had found that nobody could give any information on it or was able to tell what it meant, for a battery must either be on a peace or a war establishment.

LORD NORTHBROOK disclaimed any intention of imputing to his noble Friend statements which he did not at the time think justifiable; but he must repeat that he was rather in the habit of asking for information, getting what information he could beforehand, and making a speech before he was supplied with reliable information upon the subject of it. The Returns appealed to by his noble Friend represented at the time of their publication the strength which, under certain circumstances, had been laid down for batteries of artillery; but last winter, as he explained the other night, a Committee, presided over by General Haines, and comprising among its members General Adye, and other high authorities on artillery, laid down the future strength of batteries for peace, for home defence, and for foreign service. If the noble Earl thought other information of greater value than the opinions of those responsible officers, which had been approved by the Commander-in-Chief and the Secretary of State, his statements must necessarily differ from those made by himself on behalf of the War Office.

UNIVERSITY TESTS BILL—(Nos. 26, 104.)

(*The Earl of Kimberley.*)

COMMITTEE.

House in Committee (according to Order.)

Clause 1 (Short Title) *agreed to.*

Clause 2 (Interpretation of Terms).

Amendment *moved,* in page 1, line 26, after ("professorship") insert ("other than professorships of divinity").

Amendment *agreed to;* Clause *agreed to.*

THE MARQUESS OF SALISBURY: My Lords, I rise to move the principal Amendment which has been recommended by the Committee to which your Lordships referred this important Bill; and in doing so I shall enter into the general question at issue between the two parties before the House, and into the objects which the Committee had in view in their recommendations. This measure has come up to us recommended by a large majority of the House of Commons and by a considerable agitation out of doors—which no doubt is a consideration calculated to have weight on your Lordships' minds; but it will not have escaped those who have followed the course of this agitation during many years, both in the motives which have actuated it and in the persons by whom it has been carried on, that it is divisible into two distinct parts. The most numerous of those who have urged the relaxation or abolition of the Tests are what are commonly called the orthodox Dissenters. To them the question at issue was not strongly a religious one, but rather one of political equality, of social standing, and of conflicting claims to certain endowments, some of which have descended from very ancient times. We think they are wrong; but they hold firmly and strongly that they have an equal claim with all Churchmen not only to these colleges, which had been dealt with summarily at the

Reformation, but they hold also that as to the Universities, which possess national privileges, they have claims not only for equal education but also for an equal enjoyment of all their emoluments. These persons form the mass and strength of the agitation for this Bill; but they do not take the direction of it—its leadership and guidance are in the hands of men of very different aims and temperaments. Those who now direct the movement and the forces by which it is carried on desire something very different from an equal share of education and emolument between Church and Dissent. They desire that the dogmatic theology which has hitherto been considered identical with Christianity shall not be taught as of necessity in these national places of education, and that secular objects of study shall be put in a far superior position, and be treated as of more account than any religious instruction with reference to dogmatic belief. There is no doubt that this party, though very scanty in numbers, is distinguished by the ability of its leaders, and by the intellectual power it can bring to bear on the objects which it seeks. The result of this double impulse is represented in the Bill. The first apparent object of the movement, the first apparent aim of the Bill, was religious equality; but that was only the apparent object. The effect of the Bill, long after it had satisfied all claims to religious equality, was to do something far wider, in our belief far more important and disastrous—to banish distinctive religious teaching from the Universities altogether. These were the two different effects of the measures, and these are the two different policies between which it has been our duty to draw a strongly marked and decided line. This feeling has governed the recommendations which the Committee have made to your Lordships. Whatever justification there may be for the claims which the Church has set up and in past years maintained for the exclusive enjoyment of the emoluments of the Universities, we are ready to concede two things—first, that in the existing political constitution those claims are hardly maintainable; and, secondly, that they are of infinitely smaller importance than the other matters involved in the issue before us. We value, of course, the secular rights of the Church, but we treat them as mere dirt compared to the paramount object of securing the supremacy of religion in the education of the young. That is the feeling that has guided us in making the recommendations that have been laid before you. Our recommendations are briefly these. We desire that all honours and emoluments, all fellowships and scholarships, shall be thrown open without distinction to all subjects of the Queen. We are further willing that all offices involving teaching shall be thrown open to all those who agree upon the essential points of Christianity—that is to say, to 99 out of every 100, and, indeed, a much larger proportion—of the population of these islands. We say, however, that the office of teaching rests upon a very different footing from the enjoyment of emoluments. In distributing emoluments you may merely consider the claims of those who seek them; in distributing offices you must consider the claims of those on whom those offices are to be exercised. Supposing that there are no proprietary rights in the way, which at present are put aside, it is fair to give equal enjoyment of mere money; it is not fair to give to all, without consideration of their qualifications, the right to take part in the education of the young. I have heard it said sometimes that it is unjust on account of differences of opinion to exclude people from the honourable and lucrative office of teaching. I will not say whether it is lucrative or not; but I say that the tenant of the office is not to be considered in the least degree compared to the persons towards whom the office is to be exercised. It is the rights of the pupils which we have to consider; and with regard to the tutors we have to consider only whether they are fit for the office or not. Our proposals are mainly directed to the maintenance of religious teaching. We propose that the tutors should be required to make a declaration—that is, a promise, that in the exercise of their office they will teach nothing contrary to the Divine authority and teaching of the Holy Scriptures of the Old and New Testament. That is the Motion which I shall place in the hands of the noble and learned Lord in the chair (Lord Redesdale) when I sit down. We also propose that the chapel services shall be obligatory; that sufficient religious instruction shall be given to those members of the Church of England in each college who desire it; that no one shall be forced against his conscience to attend any kind of lecture; and that the head of the college shall be excluded from the operation of the Bill. There are some other provisions reserving the decision of Parliament on the controverted question of clerical fellowships. As to the heads of colleges, they do not take a very active part in education, but the importance of the provision principally turns on the selection of the Vice-Chancellor. Unless you exclude heads of colleges from the operation of the Bill, you will place the Chancellor of the University of Oxford in a very invidious position. It will be impossible for him to select the Vice-Chancellor by rotation, as at present, and for the sake of avoiding that invidious choice this exemption is proposed. Of course, the main point is the question whether tutors are by promise to be prevented from teaching doctrines contrary to the Divine authority and teaching of the Holy Scriptures. I must deal with the objection which will probably be the first raised by the noble Earl opposite (the Earl of Kimberley.) The noble Earl will probably say, "Your object is a very good one, but this test is wholly ineffective for its purpose;" and to prove that he will probably point out the various holes which an ingenious litigant could pick in it, and how he could drive a coach-and-six through it. Now, I freely admit that this or any other declaration which you might frame, if tested as a conveyancer tests the words put into a deed, is of no value whatever;—anybody could break through it. I do not, however, propose to bring such a declaration to the interpretation of a court of law, or to support it by the agency of a court of law. Such powers already exist in the Universities. But the truth is such powers are in their very nature exceedingly difficult to assert, and the Universities perhaps will seldom or never use them. The value of the test is something totally different. It is not a legal security, but it is a security in the court of honour or the court of conscience. We have not arrived at such a point that we are to suspect the generality of those who reach high academical position of a deliberate attempt to deceive or evade by subterfuge. I feel certain that there is no such danger. All the evidence we have received leads us rather to believe that any indication of the will of Parliament is received by those in the Universities with a devotion and an obsequiousness which to us of the outside world appear rather superstitious. I feel sure that when Parliament has indicated its intention, and when these men have pledged their personal honour to the promise that they will not teach anything contrary to the Scriptures, you are in the vast majority of instances absolutely secure against any breach of your confidence. It is not merely their personal feelings that you have to appeal to—and I believe in the majority of cases that would be quite enough. But all their teaching is carried on in public, in the presence of those who are sufficiently prone to criticism as it is, and they would certainly be looked on with little respect in their college or by their pupils if they deliberately, for the sake of proselytism, broke a solemn declaration deliberately made. In these days, when feelings of honour are very much stronger than, I regret to say, feelings of conscience are, I am sure that a declaration of this kind will not err upon the side of weakness, and that when you have obtained this promise from the tutors you may be quite certain that in the vast majority of cases it will not be broken. The great fault of our existing tests—it is admitted that they have failed—is that they are too minute, and that they were drawn up by a past age. The consequence is that persons can salve their own consciences — and persuade themselves in the fashion that the Endowed Schools Commissioners have done—that the framers of the tests, if they had lived till now, would have altered them entirely. That is a species of sophistry very common, and which has impaired the effect of former tests; but I do not believe that a similar danger attends this declaration, and my belief is supported by the opinion of those who know the Universities best. Well, supposing it to be admitted that this test is efficacious, you will ask—"Have we a right to enforce it?" It will be said—"You are interfering with liberty of conscience." I do not suppose anybody in this House will say—"We do not want the teaching to be religious;" but it will be said—"The colleges will make the teaching religious if they are only left to themselves." Now, I quite echo that sentiment if you only leave them alone; but that is precisely what you are not doing. The responsibility ought to be left to the colleges if you had left to the colleges the correlative of responsibility — namely, unrestricted liberty; but you have tied them up in every way. You have told them that they are no longer, as they did 20 years ago, to select fellows at their will, but are to be tied by the result of a competitive examination; and now you are about to tell them that they shall apply no test whatever to ascertain the religious or doctrinal fitness of those whom they select. If you thus set the Universities aside you put yourselves in their place; you accept their responsibility, and are bound to do that which they would have been bound to do—namely, to satisfy the parents who send their children there that you will fulfil the duties which the colleges formerly undertook. You have forcibly brought the colleges under control, and you stand as their representative and share their responsibility before the nation—or, rather, before the parents whose children you receive. I am conscious that in mentioning parents I am introducing what is deemed rather an ungenial element in the question of University education. Among University Liberals the popular view is that a parent is nothing but an inconvenient appendage to an undergraduate. I do not share their view. They repel with extreme irritation the idea that their magnificent philosophies and splendid researches are to be subjected to anything so prosaic as the wishes of the parents whose children they educate. I take a different view, and look at all this grand machinery as merely representing the relations of employer and employed. Parents employ the University to educate their children. If you left it free, I have no doubt it would consult their wishes; but if you deprive the colleges of their liberty and force them to educate as you like, you then assume the same responsibility towards the parents. You are the employed, and it is your business to bring up the children in the manner desired by the parents. The question narrows itself to this—Is there any danger in the present state of the Universities that young men, if the Bill passes, will be brought up in a manner to which the parents will object? If there is any moral infection that taints the air—if there is any spiritual evil creeping over the Universities or threatening to do so —it is your duty, having accepted the responsibilities of the colleges and Universities, to take sufficient measures of precaution that this infection shall not spread, and that this poison shall not infect those committed to your care. Is there any such poison? Nobody who watches the literature of the day can be unaware that in a very narrow, though influential, class of society there exists a strong tendency to extreme speculation —that there is a bitter hostility to Christianity itself, and that that hostility has reached such a point that they will rather advocate the most *bizarre* and extravagant propositions than accept Christian belief. That is the state of things to a terrible extent on the Continent. I am happy to say that it prevails to a much smaller extent in this country; but still we all know that we can lay our hands on half a dozen influential publications of recent times which have for their principal objects to destroy the beliefs on which the hopes of Christians rest. If this was merely a general phenomenon I do not say that a case for much special precaution would arise; though perhaps even then it might fairly be required of those who have assumed to govern the Universities to take care for the special evils of their time, and try to make this poison innocuous, and to shield those who are little fitted to bear it from its influence. It is not true, however, that it is merely the general tendency of a particular class of thinkers towards infidelity with which you have to struggle. One of the most striking facts brought out by the investigation of the Committee has been that in one of the Universities, at least, not only is there a full response to whatever infidel invitations modern literature may hold out, but that the studies of the University itself are affected in a manner which, if it had the free course given to it by this Bill, would lead to the most terrible and dangerous results. The most important evidence on this point is that of a gentleman who is in favour of the Bill, and whose evidence, therefore, is all the more entitled to weight. Mr. Charles Appleton, a fellow of St. John's College, Oxford, and a gentleman of distinguished literary reputation, gives this evidence—

"I think it is quite impossible for any man to throw himself into the system of education for the final classical school at Oxford at the present time, as so much knowledge, but really to assimilate it, I mean not only to study it *ab extra*, without having the whole edifice of belief shaken to the very foundation. At the same time the agencies which are brought to bear upon him, the philosophical ideas and modes of criticism, not only destroy but ultimately re-construct belief; and what I should say with regard to tests is this, that the test intervenes with a definite proposition which a man has to subscribe just at the time when he is beginning to re-construct the edifice of belief naturally out of the ruins which had been undermined."

I may point out in passing that the test we propose intervenes with no definite proposition, and is, therefore, not open to objection on that ground. The witness adds, in another place—

"So far as I know, the strictest and most delicate reticence is always observed in approaching the mind of a young man, so as not to upset his beliefs; but I believe the upsetting of his beliefs, and the entire loosening of them from all their moorings, is an inevitable consequence of the system of education which now exists in Oxford."

[*Ministerial cheers.*] I think I can interpret that cheer. It means that even under a system of tests these things will happen. This, however, is not the deliberate action of the fellows of colleges, or tutors, or examiners. This is, so to speak, the automatic and mechanical result of the mode of study, the subjects of study, and the time allowed to study. Within three years it is expected that a man is to master most difficult subjects of metaphysical study. He is expected, according to the same witness, to—

"Read Spinoza, Hobbes—I do not say all, of course, but portions of their writings—portions of Locke, of Berkeley, and of Hume are also read, and the *First Principles* and *Psychology* of Mr. Herbert Spencer are beginning to be very widely studied."

Kant and Hegel are also among the authors studied. The natural result is that, having to master these things within a limited time, and being forced to complete his line of study before the examination comes on, he has no time to enter into the opposite arguments. Negative philosophy is the easiest to master, and will carry most honours in the schools, and that is all which the young man, or those who press him forward, care for. Whatever the cause, here, at all events, is the result, as stated by a liberal witness favourable to the Bill—that the present system of education tends to unloosen all belief. What happens? The colleges are tied up within the iron bonds of competitive examination—they must elect to fellowships those men in whom all belief is loosened, and in a few years they become tutors, teachers, the educators of the youth of England. This is a serious danger; and if you take the responsibilities of the Universities and colleges, you are bound to meet it. Do not imagine that the case rests on the evidence of Mr. Appleton alone. There is the evidence of Mr. Ince, sub-rector of Exeter College, Oxford — a gentleman who is on the other side of the question —to the same effect. Canon Liddon, also, with whose name, and probably with whose words, many of your Lordships are well acquainted, says—

"Cases have come within my own experience of men who have come up from school as Christians, and have been earnest Christians up to the time of beginning to read philosophy for the final school, but who, during the year and a-half or two years employed in this study, have surrendered, first their Christianity and next their belief in God, and have left the University not believing in a Supreme Being."

With that knowledge and that testimony I think I may well say that the question raised by this Bill is not a question between Church and Dissent, but between Christianity and infidelity. Now, I think none of your Lordships will doubt that the parents of England, if their opinions could be collected, would strongly object to submit their sons to teaching of persons of this kind. Some persons, I know, entertain a notion that the proper way to educate a young man of 18 is to put before him all the arguments and systems of belief which ever have been or can be devised, and let him take his choice; but I am quite convinced that no such notion will ever commend itself to the general mass of parents in this country. They are well aware that thorny questions of controversy are not fit for men of unripe and unpractised minds, and that the only effect of asking them to choose impartially between all beliefs is to make them think that no belief is of much importance, and that at an age when temptations are strongest they may come to the conclusion that the moral maxims which rest on belief and belief alone are mere ancient and valueless superstitions. I am sure that no more certain method, not only of dechristianizing, but demoralizing the youth of the classes who send their children to the Universities could be found than subjecting them to the influence of tutors who would start with the idea that all beliefs should be submitted for free selection to the consciences and intelligences of their pupils. The only argument that remains in support of this Bill is the common phrase that public opinion has decided in its favour. I utterly deny it. Public opinion has never decided the issue as we have put it, and has never had that issue before it. Hitherto, in all parts of the country, this controversy has been looked upon as merely one between Church and Dissent, and as a mere fight for proprietary rights:—the deeper and more intensely important question has never been brought to the surface—and therefore the opinion of those who have children to educate has never been brought fairly to bear upon the question. We are laying a new issue before the country; we are asking for a new decision —and the issue is practically this—Will the constituencies of the country give effect and sanction to that determination which was so determinedly displayed at the school board elections of last year? Will they or will they not sustain the doctrine that the first and most important point of education is religion, and that education which is not Scriptural is worse than no education at all? That is the issue we have to lay before them. My Lords, I hope I shall be pardoned for making one other quotation to show what is the result of the system of University teaching which this Bill will encourage, and what is the danger which parents have to avoid. It is from some letters re-printed from *The Times*, which appeared last autumn, with reference to the state of religious thought in Germany. I do not know by whom they were written; but they were evidently written by a man of great ability, and one certainly not prejudiced in favour of Christianity. He says—

> "It is true there is a sprinkling of believers left in every part of the country, and there are whole districts in which Protestant or Catholic orthodoxy may be said to prevail to this day. But these are exceptions—*rari nantes in gurgite vasto.* The Wapperthal, on the borders of Westphalia, is a tower of Lutheranism; the adjoining Münsterland is more Catholic than Rome itself; but who expects belief on the gay Rhine, or in latitudinarian Brunswick, although situated in such close propinquity to these stricter localities? To take a broader view, who that knows modern Germany will call it a Christian land, either in the sense Rome gives to the term, or in the meaning Luther attached to it? Scholars have begun to denominate Christianity an Asiatic religion, and the public, proud of their vaunted European enlightenment, accept the degrading name."

Then follows a sentence pregnant with meaning to those about to vote on this Bill—

> "Already things have gone so far that men who have had a University education scarcely dare go to Church lest they be taken for hypocrites or sentimental enthusiasts."

That is the result of University education in Germany, where the tutors are chosen without reference to religion. University Liberals, I dare say, would look complacently on such a prospect; but I do not think parents would—for the school board elections showed that they intensely appreciate the importance of Christian education. That is the issue we have to face. We have to ask you whether you will sanction a system which leads to the results which Germany has reached; whether you will sanction a system in which, as was said in the House of Commons the other day, the Church ought to be looked upon as an intruder; a system under which literary excellence is regarded as everything, and religious instruction as nothing; or whether you will rather sanction the ancient system of this country, a system under which religious instruction was regarded as the most important, the most precious gift which the old could give to the young, a system which is founded on the belief that "the fear of God is the beginning of wisdom." That is the issue we have to place before your Lordships to-night, and which we fearlessly leave to the verdict of the country.

Amendment *moved*, after Clause 2, to insert the following clause:—

> "No person shall be appointed to the office of tutor, assistant tutor, dean, censor, or lecturer in divinity, in any college now subsisting in the said universities, until he shall have made and subscribed the following declaration in the presence of the vice-chancellor, or, in the University of Durham, of the warden, that is to say: 'I *A.B.* do solemnly declare that while holding the office of [*here name the office*] I will not teach anything contrary to the teaching or divine authority of the Holy Scriptures of the Old and New Testament.'"—(*The Marquess of Salisbury.*)

THE EARL OF KIMBERLEY: My Lords, I venture emphatically to deny that the issue before us is that which has been put by the noble Marquess—namely, between Christianity and infidelity. He knows well the value of the old proverb "give a dog a bad name," and that nothing is more likely to raise a prejudice against those whom he calls "University reformers" than to seek to identify them with certain views of German philosophical thought described in the letter which he quoted from *The Times*. The real issue is this—Is it advisable to retain the existing tests, and, further, is it advisable to adopt a new test, which the noble Marquess has invented? Knowing his great ability and ingenuity, I was somewhat curious to hear how he would defend something so novel and startling in the present day as a new test. We have been accustomed to regard tests, political or educational, as things to be dropped one by one as a matter of course; but the noble Marquess thinks such a test not only advisable but practicable. He used, however, a rather singular argument, or paradox as I think it, in support of it—namely, that the existing tests have failed. He asks us to look at the condition of the Universities as proved by the evidence taken before the Committee. He showed us how at the Universities young men read dangerous philosophy, and that, notwithstanding the present tests, a state of things is growing up in Oxford contrary to our system of religion, and that this has arisen from the study of the German metaphysicians. Now, what would be the proper mode of avoiding the danger which he apprehends? Clearly it would be to establish in the Universities a censorship, and to place these dangerous authors on an *index expurgatorius*. Even Professors who have taken this test may be imprudent enough to give their pupils the very books against which it is directed. There is no man more skilled in metaphysical learning than the Dean of St. Paul's (Dr. Mansell), and no man to whose teaching at the University I am more indebted; but I was surprised at his laying stress on such arguments as these. I never heard that he hesitated to place metaphysical works before his pupils; yet, unless young men are forbidden to study works of modern philosophy, I do not see how you are to prevent their sometimes drawing conclusions which you may not altogether approve. Unless, however, they are acquainted with the opinions of the greatest thinkers, young men would hardly be fitted for the storms and difficulties of after-life. For I do not believe in a hothouse religion. I believe men are fortified by the frank and careful study of all the best thinkers on all sides, and I have sufficient confidence in the truth and vigour of religion to think that, at all events, the majority will come forth from the ordeal unscathed and strengthened in faith and character, and that they will in after-life bear testimony to the soundness of the principles of Christianity. Apart from this general objection to the test proposed by the noble Marquess, the question arises, how is it to be interpreted? The noble Marquess says it should be interpreted not as it would be by a conveyancer, but in a broad and general sense. That, however, is surely the gravest objection to which a test can be open. It is to be loosely taken by men of loose consciences, while it is to be a rigid bond on those with tender consciences. It is to be capable of all manner of interpretations; and it will subject a man to the reproach of having broken it who may yet honestly believe that his teaching is in accordance with it. Its language is—"I do solemnly declare that I will not teach anything contrary to the teaching a Divine authority of the Holy Scriptures." Now, what is teaching contrary to the Divine authority of the Old and New Testament? For my own part, I should have the greatest difficulty in interpreting it, and taking it I would not undertake to teach any species of learning, for it would be open to anybody to come forward and brand men as dishonest, and as teaching geology or astronomy in a manner contrary to the Divine authority and teaching of the Scriptures. This is no imaginary case, for the varieties of opinion on geology, and how far they impugn what some persons consider the Divine authority and teaching of Scripture, are well known. You ought not to impose a test which will give rise to accusations of having broken it and to loose interpretations. Are we, moreover, to have such little faith in those who are to teach in the Universities? The noble Marquess thinks that if parents only knew the present state of things they would not send their sons to Oxford or Cambridge; but are we to suppose that they are unaware of the teaching which has existed there, to my own knowledge, for 20 years? Is it not singular, too, that little if any evidence was offered to the Committee showing that parents ever object, or have ever objected, to University teaching? The fact is that the Universities, if they are vigorous institutions, will be a reflex of the general thought and opinion of the country; and if they are dwarfed into institutions with narrow views they will lose the place to which they are entitled. If they are to be the greatest educational institutions in the country there must be some freedom of thought and a certain power of discussing all the doctrines prevalent at the time; and I maintain that you will find nothing in the Universities but what is more or less connected with current opinions of the times. I do not believe that the introduction of a new test will be more acceptable than the old tests. I do not believe this new test, if it could be imposed, would have the effect of preventing the teaching which my noble Friend is so much alarmed at; and I do not believe that the other House of Parliament or the country would accept any such contrivance. I should therefore see with extreme regret the adoption by this House of the Amendment of the noble Marquess.

THE BISHOP OF GLOUCESTER AND BRISTOL, as a member of the Committee, desired to make a few observations relative to what had fallen from the noble Earl who had just sat down, and to the general question of the present Amendment. He must begin by acknowledging the dexterity with which the noble Earl had addressed himself to the arguments of the noble Marquess, and the general skilfulness of his reply; he must, however, at once call attention to the extremely light way in which he had passed over the very dangerous ground as to the effect of the system now pursued at Oxford in the final school for classical honours upon the interests of religion in that University. The noble Earl considered it to be raising an entirely false issue when the present state of things was represented as a conflict between Christianity and Atheism, and he charged the noble Marquess, not only with raising such an issue, but with bringing up prejudices by means of the usual and much abused arguments founded upon the real or supposed evils of German philosophy. Such charges, however, called off attention from the very grave state of things which the evidence had disclosed; so before he noticed the specific objections urged by the noble Earl against the present Amendment, he must recall their Lordships attention somewhat in detail to the very serious state of things in regard to religion, or rather irreligion, which existed at one of our great Universities. He must point out the area over which this evil influence extended; he must go further, and show that those who were most affected by it were the present teachers, and even in apparently increasing measure, the teachers of the future. If this state of things were brought before them by some legislative accident, they would be bound to take notice of it; but being brought before them by the formal inquiries of a Commission, and just at a time when they were about to remove ancient, and certainly not wholly inefficient safeguards, it was the duty of the House and of the nation to do their utmost to stem this rising flood of infidelity, and to make provisions which, at any rate, might seem likely to mitigate and modify the almost certain evils of the future. The noble Marquess had substantiated the grave view he took of religious opinion at Oxford by three very serious quotations. Two of those quotations amounted to this—that the tendency of the education at Oxford in the final school for honours was in many cases to vitiate all belief. Now, it had been urged that these quotations did but represent the opinions of one or two prejudiced witnesses, and that rebutting evidence could be produced from the examination of others, especially from that of the Master of Balliol. It had been said that the evidence alleged had been and was exaggerated. How did the case really stand? He had himself tested these statements before the Committee. He had taken the words of Mr. Appleton and put them in the shape of questions to Canon Liddon, who, as their Lordships well knew, was one whose knowledge of young men was very great, and in whose evidence great confidence might justly be placed. He did this, as he was anxious to arrive at the exact truth. And how did it come out? Thus: the serious statement of Mr. Appleton was this—that the vitiating of belief was the inevitable consequence of the system of education which now exists at Oxford. He put that in the shape of a question, and what was

Canon Liddon's answer? He said he could not adopt the word "inevitable." He again asked if, rectifying the statement by leaving out "inevitable," what he had described was sometimes a consequence of the present state of things; and what was the answer of that thoughtful and experienced man? It was this—"Certainly; and I fear I must add it is not an unfrequent consequence." He ventured to think that answer was one which might very well call for their Lordships' serious notice. He then put before Canon Liddon the second of the two answers of Mr. Appleton, formulated, as he had already said, in the terms of a question—whether it would not be impossible for any man to throw himself into the system of education for final classical honours without having every belief in his mind loosened for the time? Canon Liddon most properly took exception to the word "impossible;" but that word being withdrawn, his answer was that it was only too possible for a man throwing himself into the system of education for final classical honours to have every belief in his mind loosened for the time being. This was an answer given on consideration, after weighing the terms of the question, which he could not deem otherwise than especially significant and monitory. There was another point in the evidence of Mr. Appleton to which he must call attention. It was the statement that moral philosophy was wholly disconnected, in present teaching, from religious questions. He put the question also to Canon Liddon, who expressed his cognizance of the fact, and his profound regret that it was so; and he added that it was one of the things that now most sadly marked the teaching of moral philosophy in the University of Oxford. Mr. Ince, a well-known tutor of Exeter College, made similar statements relative to the state of religious opinion at Oxford. Nor were these all. A thoroughly practical man, Mr. Neate, stated distinctly his conviction that the unsettling of belief at Oxford was due to the philosophical school. After such evidence, was it not time to take some steps with regard to such teaching, especially at such a crisis as the present? Let no one think that this affected but few. More than one witness assured them that the area over which the influence extended was wide; that it was not only those few who might be directly brought in contact with this teaching, but the many that were influenced by these few, who must all be considered to be sufferers from the present state of things. Further, let it be remembered that they who were thus affected were those who had received higher education and who thus formed some of the teachers of the present, and, in a greater degree, would become the teachers of the future. This line of study was pursued not only for the final schools, but for fellowship examinations, in which, it was clear from the evidence, much stress was laid upon modern philosophy. Thus, unless some decided safeguards were now interposed, the whole teaching of the future would seem to be in danger of becoming sceptical and irreligious. What, then, would seem to be the best course to be pursued in this anxious matter? What suggestions were offered by those who were consulted? Several of them gave the not very hopeful answer that there was nothing left but to trust in public opinion; but what was this public opinion, and where was it to be looked for? It was very difficult to find out whence this public opinion was conceived to emanate. One witness stated it to be the general feeling of the Universities; another looked upon it as the current of feeling in the colleges; while a third regarded it as the view of honest men through society generally. It came, however, all to this—that public opinion was to guide the Universities. Now, he had thought that the Universities were intended to guide public opinion, and to assist in giving it a healthy tone, and not that public opinion and public prejudice were to influence the teachers of our ancient Universities. But what was the remedy suggested by the Committee? The declaration now before their Lordships. Well, he admitted that it was not by any means a perfect remedy. It might be said that it could easily be evaded, and that it might be made and teaching still be as loose as before. But had sober declarations such as the present no force over honourable men? Were they to think that the teachers at the Universities—men of high intellectual culture and of elevated character—were insensible to plain moral obligations? No; he was fully persuaded it would be otherwise. The men who would be asked to make the declaration were honourable men, not one of whom would make such a declaration without resolving faithfully to abide by it. Every one of them would say — "I am warned against abusing my opportunities in regard to the tender minds of the young committed to my charge; I acknowledge that to be the spirit of the declaration I have made, and take it in that spirit without cavilling as to the interpretation of the words." Further, the declaration would be the mind, he trusted, of the majority of the House, and as such would not fail to carry with it all the weight which such an approval could not fail to give. If it were rejected, especially after the evidence submitted to them, would there not be a danger of their being supposed to be indifferent to the religious teaching at the Universities? But he must now pass on to notice the second argument used by the noble Earl. The argument was inapplicable. The noble Earl really could hardly have read the clause he referred to with sufficient accuracy. The noble Earl referred to the case of a teacher of geology as one that might illustrate the case before them. He pointed out that such a teacher might feel himself in considerable trouble when, on the one hand, he had to give a lecture on the fossil remains of some supposed pre-Adamite man, and when, on the other, he remembered the nature of the declaration which he had signed. But that objection was utterly illusory, for the declaration was not to be taken by Professors or public teachers, but by the college staff—by the tutors, assistant-tutors, Deans, Lecturers in Divinity—observe the restriction; those, in fact, who were mainly concerned with a young man's religious teaching, and stood to him *in loco parentis*. The noble Earl's objection was pointless. Before he sat down he wished to call their Lordships' attention to the evidence of two of the witnesses before the Committee. He would not otherwise specify this evidence than as describing it as that which commenced on page 255, and on page 294 of the volume of evidence taken during the present year. He did not wish to speak hardly; but he could not refrain from saying that the evidence of the first of those witnesses showed an utter recklessness as to all consequences. Several times that witness was pressed as to what was likely to be the result of changes proposed, and his reply in substance was—"All I am concerned for is the repeal of the tests—the consequences must take care of themselves." That, surely, indicated the utmost recklessness with regard to issues of the greatest moment. Tests must be repealed; let the young and the future take care of themselves. The evidence of the second witness alluded to was nothing more than a deification of public opinion. It was useful, however, as also showing the programme of the future. That programme seemed to be this—that as this was only a period of transition, the tests of Divinity Professors should be tolerated for a time, but simply as something belonging to the past and to be ultimately got rid of. One of the witnesses before the Committee was asked —"If Divinity Professors are to be absolved from tests, how about the tests of the clergy generally?" The distinguished gentleman to whom the question was put made a little protest about being called upon to answer it, but he ultimately admitted with the greatest frankness that he thought the tests of the clergy might hereafter be dispensed with. But if their Lordships went a little further in their study of that very startling evidence, they would see that it was hoped that the services in the chapels might be materially altered. The first of the two witnesses referred to—doing, he thought, a great wrong to the honourable body of men whose name he used —went so far as to say that the Dissenters would not be contented unless other religious services were allowed in the chapels. But the Nonconformist ministers used very different language, more than one of them expressing the view that Churchmen and themselves had ends in common, though they might differ about the means. The programme appeared to go yet one step further, and that was to secure the complete secularization of all money set apart for religious endowments. That was to be the culminating point, and then the fate of the Universities was settled; irreligion would then have become part of the national system. But would their Lordships allow irreligion ultimately to claim a national endowment in our ancient Universities? He had always understood that the Universities were places for religion, learning, and education;

but it seemed that religion was to be deposed from her supremacy, and, as one witness very ingenuously admitted, learning and education were to occupy the foreground, and religion to take care of herself. In that case the Christian land of England would have brought a heavy judgment upon itself, for it was a judgment of the most serious kind to have permitted in any way, whether directly or indirectly, by action or inaction, the rise of an irreligious, a creedless, and, it might be, a Godless University.

THE ARCHBISHOP OF YORK: My Lords, I rise with great pain on this occasion, because I shall differ from some others of my right rev. Brethren, and may appear to some to be striking a blow at one of those institutions which, above all others, are beloved and revered in this country, and which I myself hold in the greatest respect and affection. But I wish to recall your Lordships to the exact question before the House. We have been a good deal diverted from the question by being told that the Universities were originally places of religion, learning, and useful education, and that if we fail to pass the Amendment they will cease to have that character. The Amendment, however, says nothing about the Universities, and neither the Bill nor the Amendment of the noble Marquess says anything about the Universities, and the words which have been quoted as to religion, learning, and education, are contained in every college statute. These statutes require that—

> "The Master and Fellows shall elect (as Fellow) that candidate (being otherwise duly qualified according to the statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the college as a place of religion, learning, and education."

These words remain written in every college statute, and I hear of no intention to remove them, or to qualify or alter them in the least degree. Every college is intended to continue a place of religion, learning, and liberal education. The true state of the case, to speak with perfect frankness, is, that we have all undergone considerable changes of opinion in this matter; and instead of the noble Marquess being able to contend that this is of all tests the best and most complete, we are endeavouring to keep this last fragment of a test, seeing that the time has come when we must remove almost all tests whatever. I have then a right—and it is, indeed, my duty—to examine this test, and see what is its nature; and I find that it would carry us a great deal further than the scope of the Amendment. If Oxford is, as it is said to be, sunk in infidelity—though I deny the truth of the statement—then that is a strong comment upon the system of tests already existing. If, moreover, this test be a grand panacea for all those evils of irreligion and infidelity, why retain other tests in the government of the Universities? Why does not the Church of England, with the Bishops at her head, proceed to abolish the other tests, and take this one only as the instrument for protecting religion? Let us look at the truth of this matter. In and out of the Universities there is at this moment a great searching of the mind upon the question of religion. I regret many of the developments of that inquiry; but tests are not responsible for causing it, and tests are not capable of curing it. It is a mental state which exists now; but it is not one which will or ought to continue. You have had it from time to time heretofore. It existed in the last century, and then passed away; it exists now; but will, I believe and trust, also pass away. As long as this country values religion, so long will the Universities teach religion; and as soon as the country ceases to attach a value to religion, so soon, and no sooner, will you have at the Universities a state of things which no tests you can devise will prevent. I deny that the state of Oxford is as bad as it has been represented. I have read the evidence of Canon Liddon, but I have also seen something in the University to which he belongs. I was lately in my own college on a Sunday evening, and the college hall was lent for a voluntary lecture upon the Greek Testament. The lecturer was Canon Liddon himself, and it was calculated that one-ninth of the whole of the members of the University *in statu pupillari* were present. Surely that is not infidelity. It is said that the young men have taken to reading Hegel. I believe it was Hegel who said, when he was dying, that there was only one man in the world who understood him, and that man did not understand him. Such studies may produce some confusion of thought, but will not exercise a strong and lasting influence in a country where common sense for the most part prevails. I object, then, to this Amendment, because we are about, for a temporary purpose, to erect a new test, which, if it is good for anything, ought to have a much wider application. And now I come to the inequality which haunts the proposed application of this test. It is to be applied in the colleges, but not to the University Chairs. That is to say, persons who teach in the colleges the same things which are taught outside—the same chemistry, logic, geology, and history—for it is now the fashion to have assistant teachers and lecturers in all the colleges—are to be restrained by tests if they teach in the colleges, but not otherwise. There is no sort of justification for such a distinction. You will certainly be able to see how the two systems work side by side, for you will curb one man and let another man in precisely the same position go free. My last objection to the proposed test is that it will be useless for the purposes for which it is designed. I do not believe that, except under great pressure of circumstances, the noble Marquess would have proposed it as the best remedy that could be found for the evils besetting us.

THE MARQUESS OF SALISBURY: Not as the best remedy.

THE ARCHBISHOP OF YORK: It does not protect the teaching of the Church of England, and that is the ground on which we have always gone before. I have been reminded that, some years ago, I signed a Petition, emanating from the University, for the maintenance of tests. I did sign it; but, on reflection, I saw that the great contract which was made between the country and the Nonconformists so long ago as 1855 had never yet been fulfilled, and until the Universities are thrown open never will have been fulfilled; and on this ground I have seen reason to change my mind on this question. But this test before us is a new test, which may at first please some Nonconformists, but which I believe they too, on reflection, will perceive does not answer their purpose. It is useless, because it is a test which everybody can take. Mr. Voysey does not object to take it; the most extreme Rationalists do not object to take it. The Rationalist would say—"Yes, I believe the Scriptures to be in a certain sense divine; *Homer* and *Plato*, and every work of genius, is divine," and so he would sign the test. But, on the other hand, to a conscientious man it is a test of the most powerful grasp and the most enormous reach. I can imagine many men of tender conscience stopped at the gate by this test—which meantime is failing to do the work for which it is intended—and saying—"I will not appear to do, either by word or deed, that which is dishonourable, and I will not therefore sign a test which is a snare to my conscience." I trust I shall not be accused of any indifference to the interests of religion or to the University in which I have passed the greater portion of my life if I give your Lordships, before I sit down, one piece of advice. We are not about to change the status of the Universities with reference to the Church of England; that point has been already settled. The Amendment of the noble Marquess is a virtual abandonment of Church of England ground. We shall do very ill if we legislate from panic and in the fear of a certain temporary state of things. I grant the state of religion at this moment is a cause of anxiety to us all—to noble Lords on my own side of the House, as well as on the other. We are all anxious about its relations with science. I see no hope for religion if this test is to be our only protection for its teaching. A better security is that every man who takes an interest in our great national institutions should do his best to strengthen as much as possible the religious teaching in them. Not by means of tests which have been tried for ages, but by stirring up religious thought and by endeavouring to assist those who are engaged in stirring it up can you best attain this great object which we all have in view. There are three or four later Amendments, too, which are intended to act as safeguards; but, whether they pass or not, I deny that the teaching in our Universities is likely to sink into irreligion in its teaching:—because every fellow of a college is bound in conscience in electing a new fellow to choose a person fitted to occupy that position in his college as a place of religion, learning, and education; secondly, because the Universities being places of education for the people of this country, three-fourths of that education has hitherto been in the hands of the Church of England. How can we, I would ask, suppose that those parents to whom allusion has been made will stand still and allow the great schools of this country to be turned into irreligious schools? Whether they be Nonconformists, or whether they be attached to the Church of England, they have a common interest in preserving inviolate the instruction on the common vital doctrines of Christianity—they will be anxious that the colleges should give their sons a liberal education, and at the root of such education religion is to be found.

EARL BEAUCHAMP said, the most rev. Prelate who had just sat down had been a Member of the Select Committee on this Bill, and he thought he would better have fulfilled the duties of his august office if he had lent the Committee the benefit of his knowledge in framing some more efficient test than the present instead of showing how that test might be evaded.

THE ARCHBISHOP OF YORK: I asked that my name might be removed from the Select Committee on the ground of diocesan engagements.

EARL BEAUCHAMP: He felt bound to observe that, in his opinion, it was due to the House when a Member placed his name on a Committee that he should not permit even diocesan engagements to prevent him from attending deliberations in which Imperial interests were involved. So far, however, from the plea of diocesan engagements standing the most rev. Prelate in stead, he might add that on the very day on which the Committee were considering their Report, the most rev. Prelate was engaged—very usefully no doubt—in delivering a lecture in another part of the metropolis; and he thought that something was due to their Lordships from persons entrusted with the high and august position which the most rev. Prelate held. The most rev. Prelate had stated in 1870 that he had always been in favour of some such Bill as the present; but, so far from that being the case, he had in 1863 given his adhesion to a Petition condemning *in toto* the Bill of that year, so that as the most rev. Prelate had changed his mind on the subject before the House between 1863 and 1870, he (Earl Beauchamp) had not before he rose been without a hope that he might have changed it again, and that he might rank him among the supporters of his own views on the present occasion. The most rev. Prelate told them now that though he had formerly been in favour of some such test as was proposed by the Amendment, that he had changed his mind, and was in favour of the present Bill because the contract of 1855 had not been fulfilled; but that he (Earl Beauchamp) could not help thinking was a most flimsy pretext on which to rely. The University legislation of 1854 and 1855, which opened the University of Oxford to Dissenters *in statu pupillari*, was passed in that House as a final settlement of the question, and as removing the bone of contention which existed between the Church and the Dissenters. Experience, however, proved that each concession was simply regarded by Dissenters as a starting-point for demanding others, and the contract of 1855 was not, at all events, fulfilled in 1863, when the most rev. Prelate had signed the Petition to which he had referred. The most rev. Prelate, however, went on to say that fellows of colleges were bound, in the election of new fellows, to choose men who were best fitted to the position in our Universities as places of "religion, learning, and education." These words, he granted, existed now; but if religion were removed from the consideration of the electors, and no regulation was provided which, though not binding when submitted to the ingenuity of Archbishops or conveyancers, was, at all events, binding *in foro conscientiæ*, could it be doubted that it would be said that the contract of 1871 had not been fulfilled so long as those obsolete words remained in the college statutes? For his own part, he felt confident that the present Bill would not be a final measure, and that, if passed, it would be impossible to maintain the provisions to the effect that the colleges existed as places "of religion and learning," to which the most rev. Prelate attached so much value. The question was too serious to be dealt with by the mere retention of such words in the college statutes when Parliament had deprived them of all meaning? He would now turn for a moment to the noble Lord the Secretary for the Colonies, who said that if the Amendment became law he, for one, could not undertake to teach anything whatsoever; that he would find it impossible to teach geology, philosophy, or history with the fear of such a test before his eyes. That argument was surely a sufficient answer to the most rev. Prelate, who regarded the test as idle and nugatory. The test was a declaration on the part of the person who made it that he would not teach any opinion opposed to the teaching or Divine authority of the Holy Scriptures of the Old and New Testament, and he did not think the declaration would fail of its purpose. The noble Earl seemed to suppose it would banish from the Universities those books to which exception had been taken. So far as he (Earl Beauchamp), however, understood the matter, there would be nothing to interfere with inquiry to the utmost limits of metaphysical speculation, while the teachings in the Universities would be carried on under the overshadowing and beneficial influence of religion, and the idea that there were other duties beyond the indulging in speculation of the kind, such as those which we owed to our neighbours. This declaration was a solemn reminder that there were other things paramount beyond the mere acquisition of human knowledge; and their Lordships might safely appeal on this subject from those factious combinations of the political friends of the Dissenters to the overwhelming belief which the people of England had on the authority of the Bible and the teaching of religion.

THE DUKE OF SOMERSET: My Lords, having sat as a Member of the Committee of the noble Marquess (the Marquess of Salisbury) for two Sessions, I wish to say a very few words on this subject. I will not take up your Lordships' time by citing those Blue Books which I spent so many months in helping to fill—I am too tired of them for that:—but I wish, in the first place, to express the gratification with which I heard the speech of the most rev. Prelate. My Lords, it was indeed a pleasure to me to find that the Church of England, as represented by the most rev. Prelate, was not opposed to education. That is the line that we want to see taken, and not that of fear, timidity, and alarm at all education and all science—a charge continually made against the Church, and, I believe, made most unjustly. My Lords, let us look at what this test is that we are to send down to Oxford. Send a test down to Oxford! Why, my Lords, I am old enough to remember when Oxford found the way to take tests in a non-natural sense. The test would be useless. Everybody knows it. If the House of Commons were weak enough to accept this Amendment, and send such a test as this to Oxford, the Bill would be worth nothing. The noble Marquess comes forward and says—"We propose this test to protect Christianity." Do you think your Lordships' House is the only security for Christianity? Your tests are to protect Christianity! Why, my Lords, Christianity may survive even your Lordships' House. But "See," says the noble Marquess, "what terrible things Canon Liddon told us about the infidelity of the young men." My belief is that many of those things are monstrously exaggerated. Witnesses like sensational evidence. They came to astonish the Committee, and they certainly did astonish it. They showed that the young men would begin by losing their belief, and would then have to build it up again. But anybody who knows anything of young men must know that is a monstrous exaggeration. If you pass this Bill there will be no danger of the kind—the danger will be entirely different. The "coach" will be the man who will influence the young men who have not their opinions "crystallized," as it is called. The tutor takes the test; but the "coach" who teaches the young man takes no test at all. Now, is it wise when you are passing this Bill to try and hamper it in this manner? We are told it is only young men of the Church of England who want this protection, and that the Dissenters are all orthodox and do not need it at all. But I do not know what an orthodox Dissenter or an orthodox philosopher means. I asked many questions to find it out; but at length I gave it up. I ask again, my Lords, is it wise, having got rid of all other tests, to hamper the Bill with this? I hope that your Lordships will not accept the Amendment.

THE EARL OF HARROWBY (who was almost inaudible) begged to protest against the declaration being considered as a test. A test was an inquiry into a man's opinions, and in some cases it would be a hardship on a man and undesirable to make him descend into himself, as it were, and force him to declare the extent of his opinions and convictions; but this did nothing of the sort, and surely it was not at all unfair to ask him to say that he would not teach what the Parliament of his country required him not to teach. It was to his mind no argument to say that because a protection was insufficient there should therefore be no protection at all. It might not do everything; but it did something, and when they appealed to the honour of men, and told them what was expected, he could not think the appeal would be quite in vain. In passing a Bill of this kind it was an imperative duty—to take care as far as we could that our young men should not receive instruction of an irreligious character. It was not as a test that he relied on what was now proposed so much as on a declaration of what Parliament thought fit, and expected from those who were to be placed in the position of teachers. Voluntary institutions would not need any such protection, for the support of subscribers would be withdrawn; but endowments, of which a man cannot be deprived without cause shown, needed some such provision.

THE BISHOP OF LINCOLN said, he was convinced that this was a question that would affect the moral and religious character of the middle and upper classes of the community which were trained in our ancient Universities, and would affect the religious and moral character of the Universities themselves. He was therefore of opinion that this question must exercise a great influence on the future destiny of the English nation, and he presumed to express his opinion that its principles should have been debated before it was presented to the House in Committee in its present shape. He knew that this measure had been brought before their Lordships with a most laudable intention of removing disabilities which pressed upon persons very eminent in literature and science, who were debarred by their conscientious scruples from taking those tests which were pre-requisites for the attainment of emoluments and endowments in our colleges. He should rejoice if those disabilities could be removed without injury to our colleges; but the removal of them as proposed would impose pains and penalties on the nation at large. This Bill, if it should receive the sanction of their Lordships, would be of the nature of a Bill of Pains and Penalties upon the parents of the great majority of the upper classes of society. This was not a question which their Lordships should consider with reference to the few, but with reference to the nation at large. Our colleges and Universities were not founded in order to give prizes to a few. They were founded to educate the English nation in sound religious learning. The Universities and colleges were very dear to the English nation, and if the House injured their religious character, they would—no doubt unintentionally—inflict a very severe wound upon the dearest affections of the great bulk of the English nation. If the Universities were deprived of their religious character, the attachment of the nation to those Universities would be very much weakened. He entreated their Lordships to pause before they entered upon such a course as was proposed. If this Bill were passed into law the young men in our colleges might be called upon to listen to lectures on religion and on the New Testament by men who might insinuate doubts with regard to the inspiration of the very Book on which they lectured. Would not that be a great hardship? And that hardship would be inflicted if their Lordships adopted this measure. If it was true, as their Lordships had been told, that the time of tests had passed, then they must abolish the tests of the clergy of the Church of England. That might be called the liberty of the clergy—he would rather call it licentiousness—and the licentiousness of the clergy would be the slavery of the laity, who might have to listen to infidelity preached from the pulpit. Reference had been made to the statutes of the colleges as safeguards; but they were not safeguards, because the Governing Bodies of the colleges—who were a small and despotic oligarchy who sat within closed doors, and whose debates were not reported in the Press—could frame certain resolutions, which, when sanctioned by the Visitor and by the Crown, became the law of the college for all posterity. Though he did not think this declaration was the most perfect that could be devised, he earnestly entreated their Lordships to accept it as the best thing they could adopt in the present circumstances.

THE MARQUESS OF LANSDOWNE said, he had one broad objection to the test which the noble Marquess opposite proposed—that it was a test. He disbelieved in the possibility of devising machinery so accurate and so self-adjusting as to produce the results for which the noble Marquess looked, without producing also an amount of evil wholly exceeding the advantages, if there should prove to be any, which he expected from his Amendment. No test of the character proposed could possess any real and vital importance—it could do mischief, but no good. He had this further objection to the test proposed by the noble Marquess—that it was absolutely unintelligible who was to be entrusted with its interpretation. The right rev. Bench itself admitted its inability to understand its actual import, and upon whom were the Universities to fall back? Again, it would only act upon a small number of those on whom it was intended to be imposed, and, as regarded that small minority, it would afford a temptation to casuistry. If their Lordships consented to the imposition of this test, the tutors and assistant tutors on whom it would be inflicted would say—

> "Necessity will make us all forsworn
> Three thousand times within this three years' space."

At Cambridge, offices had been created in order to secure the admission into the University of gentlemen who were unable to subscribe to any existing test. At Oxford there were recognized and paid assistant tutors of whom no test or any other kind of safeguard was required—upon all of these the noble Marquess's test would be inoperative. The issue before their Lordships would have to be decided according to the view that was taken of the functions of a University. Views changed with the times; but that expressed by the noble Marquess (the Marquess of Salisbury) was an extraordinary one, for he seemed to think that the teaching body in a University stood towards the general body in the merely commercial relation of the employed towards their employers. Instead of simply throwing out temptations to parents to induce them to send their sons to the Universities, the duty of the Governing Bodies ought to be to raise the standard of education, to make the Universities into centres of intelligence and of truth. That was the direction in which changes had been steadily going on for some years. A wider extent of studies was pursued, more natural science was being taught, a different class of students was being admitted, in every way education was being popularized at the Universities, which were being given back to the nation whose property they were. At such a time tests of whatever kind were an anachronism and an intolerable one. A distinguished member of that educational Parliament which had recently been elected in London under the Act passed last year had said, that it was the duty of all who had the cause of education at heart to attempt to coordinate the different educational resources of the country in such a manner that they might form a continuous chain, of which the highest link should be in the Universities and the lowest in the gutter. That was, he was happy to say, a view which was gaining ground every day, and it did so because it was the only true view of the position and province of the Universities, which would never have that position assured to them in the eyes of the country, or in their own estimation, until Parliament had swept away, without reservation or regret, the last remnants of this old abuse.

LORD STANLEY OF ALDERLEY said, he desired to call the attention of their Lordships to the evidence of the five Nonconformists who were examined before the Committee; because it had been set aside and met by a conspiracy of silence, and he considered it of great importance in legislating on this question. All of them stated that the feeling of the Dissenters was in favour of the maintenance of religious instruction at the Universities; there were, however, among those who desired to see this measure passed some persons who were not Dissenters, but ought, more properly, to be called sceptics, because they did not recognize the divine authority of the Decalogue. One of the witnesses, Mr. N. E. Hartog, was asked—

> "Does the objection which is entertained to tests to be taken by each individual man extend to provisions controlling the nature of the teaching to be given—that is to say, controlling it in a prohibitory sense?"

To that he replied—

> "The same objection would certainly not apply, because no man could conscientiously object to being forbidden to teach a certain subject. Of course, it is another question how far it is advisable to control the teacher's liberty, and whether

a man would accept the office of teacher under such conditions. But it can hardly be called a 'test' in the sense in which the word is used at present."

That was the evidence of one who had been prevented from trying for a Fellowship at Cambridge owing to the existence of tests: he was a Senior Wrangler and an Israelite. He begged leave to differ from the observations of the most rev. Prelate (the Archbishop of York), since of the young Oxford men that he had known, every second man was a sceptic.

THE BISHOP OF OXFORD said, he should be unworthy the office he held if he did not contradict the statement of the noble Lord who had just sat down (Lord Stanley of Alderley). His experience of the state of religious opinion in the University had brought him to a conclusion widely different. He had no reason to plead guilty to the charge of having changed his opinions, because he had always desired that the education in our Universities should be a religious one. At a former period, however, it seemed to him that the maintenance of tests was the best way of keeping up that religious character; but he was now satisfied that such would not be the case. He had carefully examined the facts—he had considered in what way tests would possibly act—and he had been unable to find any class of persons that would be prohibited or restrained by them. The net result of the Amendment, should it pass, would be to affect the Jews, and they were the only persons who did not seek to proselytize. From the point of view in which he regarded the Bill, he implored their Lordships not to send down to the Universities a fresh cause of discord, for the inevitable consequence of the clause which had been proposed would be to raise a new and most disagreeable controversy as to the sense of the proposed declaration, and how far certain persons might conform to it. It would be utterly impossible to define what was the scope and meaning of the declaration; and he hoped our great seats of learning would never be placed in the position of being called upon to decide how far a person was conforming, or not conforming, to this declaration. He did not share that excessive scrupulousness which some displayed in reference to tests, nor did he understand why a man should be unwilling or unable to give an account of the faith that was in him; but he could not be blind to the fact that the great body of those who desired the passing of this Bill regarded every sort of declaration as a test. The objection was to having any test whatever, and that objection would remain in full force to the test they now proposed to impose as much as to those tests they all agreed to remove—for no one had proposed to maintain existing tests as they were. But it might be asked what they were going to do for religion if they did not provide for it by tests? As to that he would make a statement. An experiment had recently been tried at Oxford with most marked success. Two years ago a college was founded at Oxford with no tests, with no endowments, no opportunities for social extravagance, none of the objectionable features of the old colleges of which critics complained—a college conducted with admirable efficiency and simplicity, and with an entire absence of tests. Yet that college was eminently religious, and the great bulk of liberal-minded persons connected with the University had held out to it the right hand of fellowship, rejoicing to see it do its work intellectually, morally, and religiously. There had, no doubt, been opposition to the new college; and if that opposition had come from the great body of holders of liberal opinions, he should well nigh have despaired of the University; but he ventured to state that the great body of liberal persons connected with the University had fairly and honourably accepted that college with a determination to give it fair play. It was, therefore, possible to have free religious institutions without the infliction of a test. He trusted their Lordships would not send down this test to the University of Oxford, and that they would solve the problem of the connection of religion with education in some other way than that proposed by the noble Marquess—by the influence of good men finding their way to the hearts of those whom they had to teach, and by the influence of fair freedom offered to all religious teaching. He was sure that might be done without a test; he was certain it would not be done by such a test as that proposed by the noble Marquess.

THE EARL OF CARNARVON said, there had been several but not very clear objections to the proposal of his noble Friend. It had been objected, on the one hand, that this was a revival of the old attempts to interfere with religious freedom, and on the other that this was a new test. So far he agreed that the proposal was new; but he differed entirely in regarding it as a test. The objection to this proposal on the ground of its being a test was not very fair. The object of his noble Friend and of those who voted with him in the Committee was, if possible, to arrive at some common ground which they could all occupy. He distinctly repeated this was in no sense a test. A test was something imposed before the acceptance of office; this was a declaration to be taken after office was accepted. Not only was this not a test—not only was it a declaration, but it was a negative declaration, and not a positive one—a declaration not to teach anything contrary to the teaching and authority of Holy Writ. There was still another distinction :—this was a declaration, not to be made to the University, but to the collegiate authorities, who stood in a totally different position. More than this—it was a proposal that had never been before their Lordships before. He himself made a proposal on the subject two years since, and he still thought it was one that might have recommended itself to both sides;—but somehow the proposal fell through. There were two sets of persons to whom he would earnestly recommend the proposal now made, and it was upon their decision more than upon the decision of Parliament that the determination of the question must in the end depend. That decision rested first of all on the parents who sent their sons to the University; and, secondly, upon the great body of the Nonconformists of England. He said it was a question for parents to decide whether or no henceforward the teaching at the Universities was to be in any sense at all religious. It was not a question of denominational teaching—it was not a question of the Church of England; it was simply and solely whether they would have the education given in the Universities in any degree tinctured with religion. The answer of the question in reference to the constitution of the school boards had been singularly plain and almost unanimous—it had decided the question as regards the education of the children of the poor, and it remained to be seen whether a different rule should be applied to the children of the wealthier classes. He could not conceive upon what principle it should be decided that the children of the poor should be taught religion, whilst that privilege should be denied to the wealthy. Then, with regard to the great body of Nonconformists, he would ask them to look at this question, which came before them for the first time altogether in a new light, calmly and dispassionately; not in the heat and glare of political action, but in the light of those considerations which after all were above politics. Let Nonconformists ask themselves this simple question—Did this proposal give them what they had sought on former occasions? His answer was it did. It gave them free admission to the Universities; it gave them an open career as regarded honours and endowments, as regarded teaching and the Governing Bodies; it gave them what they had over and over again contended for —the power of teaching; and, lastly, it gave them what he ventured to state the great body of Dissenters in this country would prize—it gave them the power of co-operation in spiritual and educational matters with the Church of England. The first question which the Nonconformists had to ask themselves was this —whether if by their influence they rejected this proposal in company with whom would they reject it? They would reject it in co-operation with that party which called itself the Secularist party, and which objected to all religious teaching, and who contended that the mind of a child should be left a sheet of blank paper to be afterwards written upon as chance might direct. There had been little real love between the Nonconformists and the Secularists, and the Nonconformists could even now hardly forbear occasionally from uttering some very hard words of their allies. On the other hand, the Church of England offered to the Nonconformists a greater degree of freedom than had ever been offered them before; and would they reject it simply because the offer was made them by the Church of England? That Church might have been in former times exclusive, and even oppressive; but would it be prudent or wise for the Nonconformist Body now to reject the proposal because the Church was once exclusive, and had now become conciliatory? It appeared to him that the Nonconformists had to consider in this matter whether they would throw their lot in with those with whom they had many points of agreement, who were not so much their antagonists as rivals in the great work of educating the people; or whether they would join those who stood on an entirely different platform from them, whose principles were antagonistic to theirs, and who consented for a time to act with them only for the purpose of afterwards destroying them.

THE BISHOP OF CARLISLE said, he was much indebted to the noble Marquess (the Marquess of Salisbury) for the pains he had taken in this matter; and, feeling the great value of two or three of the Amendments which he was about to propose after the present clause was disposed of, he wished to explain why he could not support the particular Amendment now under consideration. One or two speeches had been made which he thought more suitable to the Motion for the second reading of the Bill; but, as the second reading had been passed, it was now proper not to enter upon the general principle of tests, but to consider the particular declaration proposed by the noble Marquess. The noble Earl (the Earl of Kimberley) seemed to throw overboard the argument with respect to the check which the declaration would put on teachers. The effect of this Amendment would be that it would subject equally those who taught theology and history and the tutors and assistant tutors to a test. Now, he would state that in the University with which he was connected the action of the proposed declaration would certainly be in that direction, as regarded subjects connected with philosophy and some other subjects. The declaration was to be made by Lecturers in Divinity; but he apprehended that it would be almost an insult to tell such men that they must declare that they will not teach anything contrary to the Divine authority of the Holy Scriptures. The office of Dean at Cambridge was of an entirely religious character, the Dean having to do with the regulation of the chapel services, and it seemed again an insult to tell such a person, an ordained priest of the Church of England, and charged with the conduct of her services, not to teach anything contrary to the Divine authority of the Holy Scriptures. It might, indeed, be a question whether tutors and assistant tutors should not be subject to some declaration or test, because they might have perhaps to teach Divinity, though the great bulk of their teaching would be mathematics and other things in which no body could find anything either for or against religion. They would, no doubt, teach philosophy, history, and the natural sciences; and, in reference to these, he thought that any test would be mischievous. He believed that Archbishop Whately had said that if he were an arbitrary Sovereign, one of his first laws should be that, in discussing scientific matters, no reference should be made to Scripture; and, no doubt, the principle was a correct one. They had better leave tests alone, and let their great object be to get holy and religious men who were fit to stand *in loco parentis* to their students. Let men who could be trusted be appointed, and no such declaration as that proposed would be wanted from them. It had been said that this was a negative declaration. Well, he objected to it on that very ground—because he thought that it was not at all worthy of any sincere and educated man that he should make a negative declaration. He thought that such was one of the worst kinds of declaration that they could inflict upon any man. It was sometimes said that if their Lordships did not pass a particular measure, they would have a very much worse measure submitted to them at some future time. He protested against an argument of that kind, as being most unworthy to be used in that House. As an indication of opinion, however, and with no wish to frighten their Lordships, he could not shut his eyes to that which occurred two years ago in the other House of Parliament; when Sir Roundell Palmer moved an Amendment which was, in some respects, a great improvement on that now submitted to the House. It required that every person hereafter appointed Professor or tutor or lecturer in any college should solemnly and sincerely declare that he as such Professor, tutor, or lecturer would never, directly or indirectly, teach or inculcate any opinion opposed to the Divine authority of the Holy Scriptures, or to the doctrine or discipline of the Church of England as by law established. Eight speeches were made upon this Amendment, but only one was in favour of it, and the Amendment was withdrawn without a division. —[3 *Hansard,* cxcvii. 1090.] He wished that the present Amendment might also be withdrawn. If he believed it would produce even a small fraction of the results expected from it—if he thought it would help the cause of religion in the Universities—he would support it; but being of opinion that it would insure none of those results, he must record his vote against the Amendment.

The Bishop of SALISBURY said, that as an old tutor of Balliol, and for more than 30 years Head Master of one of our public schools—and having also sent five of his sons to the University—he might claim to possess some experience on this question. Though he did not think the proposed declaration would have so great an effect as he could wish, he should support it, as far as it went, with all his heart. He had sent thousands of his own pupils to the Universities, and for many years past had sent them with a heavy heart, feeling that they were going to a place where their young and immature minds would be exposed to an amount of infidelity shocking to think of. From a large experience of Oxford, he believed that —not in consequence of tests, nor likely to be removed by tests—there had swept over the University a wave of scepticism and infidelity which had produced the most grievous and fatal results. If undergraduates went to Oxford, really young men of 21 or 22 years old, he should be content to leave them there without requiring any security whatever. But we really sent youths of 18; and though they went there well-grounded in religion, their minds were not so well matured that they could be trusted to resist the widely-spread scepticism which now reigned in the University, and therefore he thought they were bound to provide some protection for them. The tutorial system was an essential part of the Oxford method. He wished every Professor to be uncontrolled; but the tutors discharged *quasi*-parental duties towards these immature youths, and there should be some security that their teaching was at least in general sympathy with, and obedience to, the religion which their Lordships held most dear, and which the tutors, he presumed, mostly professed. The most rev. Prelate (the Archbishop of York) said that parents might cry out in some wonderful way against irreligious teaching. But how were parents to cry out? How were they to make their voice heard? What security were they to have?

The Archbishop of YORK: They need not send their sons.

The Bishop of SALISBURY said, this surely pointed his observation. Parents were to deprive their children of a high social and educational privilege because Parliament would not try to save them from the danger of irreligious teaching! He had sent many young men of high powers to the University, and they had passed under instruction which he did not like. At the same time, he could not help saying that some of the instruction, which he regarded as the most dangerous, had been the most kindly, industrious, and loving, and had produced the greatest amount of love on the part of those who had undergone it. Less than this he could not say, speaking particularly of his own College, Balliol. On the part of parents, of schoolmasters, and youths proceeding to the University, he asked for some security against irreligious teaching. He admitted that this security was not much; but he did desire the tutor to give at least so much. Of course, neither this nor any other test would bind a dishonest man; but such an argument against tests—that they did not bind wicked men, while good men were restricted from accepting them —rested on the transparent fallacy that it was possible to divide all men into bad and good—quite regardless of the fact that mankind were of very varied characters, and acted from very mixed motives.

Lord WESTBURY: My Lords, I have listened with sincere regret, and with some alarm, to the dreadful picture which has been drawn of the moral and religious condition of the University. If that picture be true, I regret there is no warning voice to dispel the notion that the University is a temple of religion, and to proclaim instead that it is a den of infidelity and hypocrisy. Now, how has this result been produced? Has it been produced by the want of tests? Has it been produced by the want of bigotry? I tell you how it has been produced. You have for centuries insisted that the University of Oxford should be deemed the special inheritance of the Church of England. You have insisted that nothing but dogmatic theology should be taught there. And now the human mind, rising up against that system, takes its revenge by inculcating a greater amount of liberality in proportion to the fetters you have imposed upon it. What the noble Marquess (the Marquess of Salisbury) proposes is a sheer mockery, and worse than a mockery. Just consider for a moment what will be the operation of this test. By whom is a tutor appointed now? Either by the heads of colleges or the Governing Body. If he takes from the men who appoint him this obligation, who is to determine when the obligation is fulfilled? Primarily the persons who appoint. But then the person who is appointed, appealing from the judgment of those who appoint, goes to the Visitor of his college. Now, instead of furnishing any real security, the words which the noble Marquess has selected will, in my opinion, serve no other end but to raise a difficult question, on which hardly two of those to whom the appeal may be made will ultimately be found to agree. The law, therefore, to which the tutórs are to be subjected will be uncertain and unknown. But *misera est servitus, ubi jus vagum aut incognitum.* Again, consider for a moment who it is whom you will drive from the office of tutor by requiring that this test should be taken. You will drive from it the conscientious man, because he will say—"I am called upon to take on myself a solemn obligation, and I know not by what standard the fulfilment of that obligation is to be measured." The independent man also will say—"I am called upon to fulfil a solemn duty; but whether I fulfil it or not is to be determined first by the judgment of one and then by the judgment of another." The tutor of College A will be subjected to a different judgment from the tutor of College B. What, then, will be the result of the noble Marquess's provision? To drive men from the office of tutor who are worthy of it, and to place in it those who care nothing about it or the mode in which it is administered. Is this the sort of provision with the view to the security of religion which comes from the noble Marquess the Chancellor of the University of Oxford? Will it not be a mockery, and will it not end in introducing a miserable hypocrisy into our Universities? What is its object unless it is to secure religious teaching? But in order to have religious teaching you must have religious teachers, and you cannot bind men by this form of words; nor by a standard which in truth is no standard at all, and which allows it to be decided by every feeble man's judgment, whether the obligation has or has not been complied with. I quite concur with the noble Marquess in the opinion that the foundation of all teaching should be the sanctions of religion; I entirely agree with him in his desire that religious teaching should be carried into effect in our Universities:—and I am happy to say that having spent yesterday and the antecedent day at the University of Oxford, and having visited St. Mary's and some chapels in Oxford, I observed there nothing to justify the strictures which the noble Marquess has passed on the state of religion in that University — strictures which, were it not for the source from which they have proceeded, I might almost be tempted to designate as a slander. Let us trust the Universities freely. For my part I am not afraid of the tutors of our Universities, either in point of religion, morality, or acquisition; but if you rely upon this miserable substitute for better things, you may depend upon it that while you get men in whose case it will be no security, you will shut the door against men animated by the highest motives, but which highest motives can be found only in company with great liberty of thought and great liberty of conscience. I trust the noble Marquess will have more confidence in the University over which he so worthily presides than to insist upon this test, which is unnecessary, unworthy, and incomplete —which will serve only to generate endless controversies, instead of producing that harmony which it is so desirable should exist.

LORD COLCHESTER said, that having been a Member of the Select Committee on this subject, and paid much attention to its proceedings, he begged leave to offer a few remarks on the subject before the House. He had heard it said by a noble Marquess opposite (the Marquess of Lansdowne) that the Amendment presented no difference of importance from the existing test. He ventured to think that they who had hitherto opposed the abolition of existing tests were, in deference to public feeling and the opinion of leading men in and out of Parliament, making large concessions on that subject, and that they were therefore entitled to some consideration in the small limitation for which they now asked. It had been often urged in these discussions that the University was a national institution; but the colleges, at least, owed their existence to the liberality of private individuals, deeply attached to the ecclesiastical institutions of their country, and they had become national because in a great measure they had drawn the nation into them. To the former tests two objections were raised—no doubt not without weight, though other considerations might outweigh them. One was urged years ago with great force by Mr. Goldwin Smith—that it was an unfair temptation to a man to ask him for his assent to a number of detailed dogmatic statements as a condition of obtaining what was a post of great importance to himself; the other urged by the witness so often referred to to-night, Mr. Appleton—that a man whose religious opinions had been disturbed in the period of his University studies was unwisely required to accept or refuse a strict theological test before he had time to re-construct definitely his religious belief. It was because the declaration proposed was a negative declaration that it was not open to these objections. It required no declaration of personal belief whatever; but it did require that a college officer should not impugn what was generally felt by the people to be religious truth, or disturb the belief of young men of immature mind, to whom he stood in a *quasi*-parental relation. As to the philosophical studies of the University of Oxford, to which allusion had been made, he was as anxious for a wide range of studies as anyone, and if the Amendment proposed to limit the studies of the University, or, as the noble Earl (the Earl of Kimberley) said, establish an *Index Expurgatorius,* he would be the last to support it. But he did think that the wider the range of study the more important was some security that such study be not turned by those under whose auspices it was conducted into a weapon against the religion in which the young men who entered the University had been brought up. He supported the Amendment as a recognition of the principle that religion should have its acknowledged place in the University. We were going to dissolve the ancient bond uniting the Church of England to the University and to the colleges, whether founded before or after it assumed its present character at the Reformation, by persons attached not less to ecclesiastical than secular interests; and what they asked was that by this moderate declaration the colleges might remain as their founders desired—places of religion as well as of learning.

The Earl of AIRLIE said, he should regard it as a misfortune if this very moderate measure, which had been framed with just regard to the feelings of the friends of the Church, should not pass. He should like to hear from the noble Marquess and those who supported him what benefit they anticipated Christianity would gain from the Amendment being carried? Judging from the description given by the noble Marquess and some noble Lords who followed on the same side of the condition of things at Oxford under the stringent tests now in force, he did not think there was anything to encourage them, having got rid of other tests, to adopt the one before the House. He did not go so far as to assume that infidelity was rampant at Oxford; but it appeared evident that all the tests that Parliament had been able to frame had been of no effect in checking the spirit of free inquiry. It was said that the wishes of parents ought to be respected, and that it was very hard that infidel opinions should be taught to the children of parents who objected to those opinions. But it should be remembered that this question of tests had not come up now for the first time; and if parents generally anticipated any serious evils from the relaxations contained in the Bill, it was reasonable to think they would have made their influence felt in the House of Commons, and that the question now would have been in a very different position from what it was. There were, in his opinion, special objections to this particular test when looked at from the point of view of those who did not object on principle to the imposition of tests. If there was one thing more than another which a test ought to be, it ought to be specific, clear, and precise, and such that everybody could know what it meant. But no one could tell what this test meant:—and who was to interpret it?

Would the proposed declaration answer the purpose? The noble Marquess attempted to impose it on a certain number of men; but why did he exempt private tutors? Their Lordships had it on the authority of the Dean of St. Paul's that the influence of the private tutor was much greater than that of the college tutor; another witness had given the same evidence almost in the same words—and both these gentlemen were in favour of tests, or at least of a declaration. If that were so, how could the noble Marquess expect that this declaration would be effective for his object? In his opinion, the view taken by the most rev. Prelate and by the right rev. Prelates who had spoken after him was much more correct, for they held that it was not to tests we were to trust for the security of Christianity, but to the vitality that was in Christianity itself.

LORD DENMAN (after "Question" had been loudly called for) remarked that if in exchange for giving up all tests in our Universities, the very small condition proposed by the noble Marquess was required from those entrusted with the education of young men, the question would arise whether the Bill should be carried with such a condition or be again rejected. It had been said that private tutors or coaches would not be in any way controlled by the proposed declaration; but it would be very easy to put it, as it were, as a dragchain upon those coaches, and such a condition, in lieu of tests, would bind the consciences of those who might make a declaration of an appeal to the Bible as an authority, and in voting for it their Lordships would do nothing derogatory to their character as legislators. He regretted that he had acted as a dragchain in retarding the time for a division.

THE BISHOP OF MANCHESTER said, that having given this question much consideration, he feared he should have to go into the opposite Lobby to the noble Marquess, should he think fit to press his Motion to a division. It seemed to him that the legislation to which their Lordships were invited by the noble Marquess was legislation under the influence of panic: and he considered that all legislation under the influence of panic was likely to miss its proper scope, and he emphatically considered that legislation under the influence of a panic touching so sensitive and delicate a subject as intellectual opinion—particularly when occupying itself with religious matters—was as unstatesmanlike as it was unwise. The evidence of Mr. Appleton seemed to have frightened the noble Marquess and the Committee. Mr. Appleton was, apparently, a young man of the Positive School, who believed that the human race was to go through various stages of progress, and that the human mind was to do the same—beginning with the loosening of all belief, then going on to a process of reconstruction, and, finally, settling into something like a creed again. He thought that the representations which had been made of the present condition of the University of Oxford were over-coloured, and the evidence on the subject more or less of a sensational kind. It had been said that a "tidal wave of thought" had come over from Germany and flooded our Universities; but he had read the evidence, and he found that this "tidal wave of thought" had not reached Cambridge. He took comfort, moreover, from the expression "tidal wave of thought," because he remembered that when tidal waves reach their highest they have a tendency to recede. He thought, then, he was not using disrespectful language when he said that they had been discussing this question under the influence of panic. The object of the Bill, as he understood it, was not to exclude sceptics, but to include Nonconformists. Now, he (the Bishop of Manchester) ventured to think that our colleges would be very much improved by the admission of Nonconformists, who would bring with them habits of thrift and study, not too marked at present in University life, and that such admission would be a gain to the nation, to the Nonconformists themselves, and to the Church of England, which hitherto had suffered in the minds of the Nonconformists by the exclusive possession of these privileges and prerogatives. It would give a more earnest tone of thought to the studies of the colleges, and would disabuse the Nonconformists of many prejudices against the Church of England. We were living in an age in which it was not wise to tie the tongue of any teacher on any subject. He believed the truth of Christianity would stand examination. He had no fear for Christianity; but he had the greatest fears for the interests of religion if it were subjected to objectionable and unnecessary tests. It was argued that if they destroyed these tests in Universities they must also destroy them in the Church of England; but he utterly denied that there was any analogy between the two cases. A definite religious body must have a definite creed and a definite discipline; but they were all agreed that the Universities should be institutions which should include those who professed various external forms of faith; and that constituted the essential difference. He did not believe that the Nonconformists, who under this Bill would be admitted to the benefit of University education, would be one whit behind the most earnest and most faithful members of the Church of England in making the colleges places of sound religious, as well as of sound secular education.

On Question, Whether to agree to the said Amendment? their Lordships *divided :*—Contents 71; Not-Contents 66: Majority 5.

Resolved in the *Affirmative.*

CONTENTS.

Northumberland, D.
Richmond, D.
Rutland, D.

Bristol, M.
Hertford, M.
Salisbury, M. [*Teller.*]

Abergavenny, E.
Amherst, E.
Bathurst, E.
Beauchamp, E.
Brooke and Warwick, E.
Brownlow, E.
Carnarvon, E.
Cawdor, E.
Dartmouth, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Ferrers, E.
Graham, E. (*D. Montrose.*)
Harrowby, E.
Kellie, E.
Lanesborough, E.
Lauderdale, E.
Powis, E.
Romney, E.
Stanhope, E.
Stradbroke, E.
Strathmore and Kinghorn, E.
Verulam, E.

Hawarden, V.
Lifford, V.
Sidmouth, V.
Strathallan, V.

Chichester, Bp.
Ely, Bp.
Gloucester and Bristol, Bp.
Hereford, Bp.
Lincoln, Bp.
Llandaff, Bp.
London, Bp.
Rochester, Bp.
Salisbury, Bp.

Arundell of Wardour, L.
Buckhurst, L.
Cairns, L.
Chelmsford, L.
Churston, L.
Colchester, L.
Colonsay, L.
De L'Isle and Dudley, L.
Denman, L.
De Ros, L.
De Saumarez, L.
Digby, L.
Egerton, L.
Eliot, L.
Fitzwalter, L.
Foxford, L. (*E. Limerick.*)
Hartismere, L. (*L. Henniker.*)

The Bishop of Manchester

Heytesbury, L.
Hylton, L.
Lyttelton, L.
Ravensworth, L.
Sheffield, L. (*E. Sheffield.*)
Sinclair, L.

Skelmersdale, L. [*Teller.*]
Sondes, L.
Stanley of Alderley, L.
Strathnairn, L.
Tredegar, L.
Wynford, L.

NOT-CONTENTS.

Hatherley, L. (*L. Chancellor.*)
York, Archp.

Devonshire, D.
Saint Albans, D. [*Teller.*]
Somerset, D.

Ailesbury, M.
Lansdowne, M.

Abingdon, E.
Airlie, E.
Albemarle, E.
Camperdown, E.
Chichester, E.
Cowper, E.
Dartrey, E.
Derby, E.
Granville, E.
Grey, E.
Jersey, E.
Kimberley, E.
Morley, E.
Nelson, E.
Russell, E.
Sommers, E.

Halifax, V.
Sydney, V.
Torrington, V.

Carlisle, Bp.
Manchester, Bp.
Oxford, Bp.

Abercromby, L.
Acton, L.
Ashburton, L.
Barrogill, L. (*E. Caithness.*)

Belper, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Brougham and Vaux, L.
Calthorpe, L.
Camoys, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Congleton, L.
De Tabley, L.
Dunning, L. (*L. Rollo.*)
Ebury, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Houghton, L.
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Lawrence, L.
Leigh, L.
Lurgan, L.
Lyveden, L.
Meldrum, L. (*M. Huntly.*)
Methuen, L.
Monson, L.
Monteagle of Brandon, L.
Mostyn, L.
Northbrook, L.
Ponsonby, L. (*E. Bessborough.*)
Robartes, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Rossie, L. (*L. Kinnaird.*)
Sefton, L. (*E. Sefton.*)
Sundridge, L. (*D. Argyll.*)
Vernon, L.
Westbury, L.
Wrottesley, L.

Clause 3 (Persons taking lay academical degrees or holding lay academical or collegiate offices not to be required to subscribe any formularies of faith, &c.).

THE MARQUESS OF SALISBURY said, the Committee were more agreed on this point than on any other, because the Heads of colleges had the special duty of supervising not only the religious teaching in the colleges, but also the services in the college chapels, and in reference to the latter point it was important that the Headship should be confined to members of the Church of England. As matters stood at present it would not make any great change if the headships were included in the scope of the Bill, because, as regarded the majority of the colleges at Oxford and many of those at Cambridge, the headships must be held by persons in holy orders. From these heads of colleges the Vice-Chancellor must be selected, and if the heads were persons of various religious opinions the selection might be a cause of much heartburning.

Amendment *moved,* after ("aforesaid") insert ("except the headship thereof.")—(*The Marquess of Salisbury.*)

THE EARL OF KIMBERLEY said, he was unable to see why, in a Bill the object of which was to relieve Nonconformists from special disabilities, the headships of colleges were to be excluded because Dissenters were thought to be unfit to be intrusted with the duties. That seemed to him to be a gratuitous insult to the whole Nonconformist Body, and one which he trusted the House would not sanction. With respect to the argument about the heads of colleges having the control of the chapel services, that would be better argued when the Amendment respecting that matter was proposed. If that were adopted, he could not see how any prejudice would be created by the head of a college being a Nonconformist. When disabilities were being removed generally, it would be impolitic and unadvisable to create further jealousy and agitation by reserving particular offices for members of the Church of England.

On Question? their Lordships *divided:*—Contents 57; Not-Contents 49: Majority 8.

Resolved in the *Affirmative:* words *inserted.*

LORD LYVEDEN proposed to omit Proviso 1 to Clause 3, and put an end to clerical fellowships. The noble Lord quoted the evidence of Professor Jowett, in answer to a question of the noble Marquess (the Marquess of Salisbury)—

> "Do you consider that the clerical fellowships act in any manner as a safeguard to religious teaching in the Universities?—No; I think not at all. The clerical fellowships are open to great objections. In the first place, you are compelled to elect an inferior man because he happens to be in orders, or because he expresses a willingness to take orders, and you reject superior men. That has a bad effect in many ways. In the colleges you have thus two classes of persons, one who are elected for merit, and another who are only half elected for merit—that is to say, they are elected for merit, combined with the condition of going into orders, and they have an equal vote at elections, and an equal voice in the education of the colleges. Again, it is difficult in any case to get a good tutor in a college, and if you are obliged to add the further condition that you can only take a person in orders, the difficulty is greatly increased. With regard, also, to the Church of England, I think the clerical fellowships have the worst effect. Men constantly go into orders, or profess their willingness to go into orders for the sake of obtaining a fellowship. I know instances of men who have done so, and of men who have stood for clerical fellowships, and not afterwards gone into orders, because they did not get a clerical fellowship. I think that the effect of clerical fellowships is injurious both upon the minds of the electors and upon the minds of the candidates; and I also think that the injury to the Church is very great in another way, for no religious society is really benefited by holding an invidious position."

In this opinion he so entirely agreed that he need scarcely add any argument of his own; but, to show the importance of the subject, he would state that at Cambridge there were 11 headships in holy orders, and eight not. At Oxford there were ten in and six not, and at either University about half of the fellowships must be clerical. He must also say a few words upon the circumstances of this case. The subject was introduced in the House of Commons, and only objected to by the Prime Minister, as it might influence the House of Lords; for this reason 50 Liberals voted against it, and the division was 160 to 182, which announcement was received with loud cheers from the Ministerial benches. The compromise now, as it was called, was ended; and there was no reason why the Lords, to whom it was offered as a boon, might not reject it. It had certainly not been accepted by the noble Marquess, and therefore need not be maintained by the Government. As surely as the next Session succeeded this, so surely would this measure be again proposed; and why should not this proposal be anticipated by the Lords? Why were their Lordships always to lag behind public opinion? Why not, for once, take a step in advance, and thereby place themselves in a popular position with the country. The right rev. Bench could not wish themselves to appear as gaining members to the Church by the assistance of Mammon; and they also might set themselves well by discarding these means of getting hold of the tutors of the country. For all reasons he was most anxious to see the Church of the public disentangled of these obstacles to religion, and education being placed on fair and wholesome grounds.

Moved in line 28. to leave out from ("that") to ("(2.) Nothing") in line 39."—(*The Lord Lyveden.*)

THE EARL OF KIMBERLEY said, he thought it was not desirable to go beyond the scope of the present Bill, and he consequently hoped the noble Lord would not insist on dividing upon his Amendment. Feeling bound to accept the measure as a whole without any material alteration, he should ask his noble Friend not to press the Amendment.

THE EARL OF ROSEBERY said, he must deny that the compact entered into between the Government and the Opposition was in any way binding on the House; and if Amendments like that of the noble Marquess in one direction were sent down to the other House they might be sent down in another. It seemed to him that clerical fellowships were objectionable on three grounds—first, that they admitted — or at least were the means of admitting—inferior persons into the educational body of the Universities, and thereby injured them as places of learning; secondly, that they admitted reluctant Professors to the priesthood, thereby injuring the Universities as places of religion; and, thirdly, that they acted as a stumbling-block to the scrupulous and were no barrier whatever—if they were not even an attraction to the unscrupulous — thereby injuring the colleges as places of morality. According to the evidence taken by the Select Committee, a short time ago, at one of the leading colleges at Oxford, possessing a considerable number of lucrative clerical fellowships, there was an election to a clerical and another to a lay fellowship. There were seven candidates for the lay fellowship, and the Examiners reported that they were all distinctly superior to all the candidates for the clerical fellowships: they were obliged, however, to elect a clerical candidate though they had to pass over six better men; and the college distinctly felt that to them, as an educational establishment, such a proceeding was a great wrong. In another case, upon a competition for two clerical fellowships, the Examiners unanimously protested against the filling up of the second fellowship, owing to the inferiority of the candidates. Under these circumstances, the colleges had sometimes been driven to the greatest straits, and had made overtures to the lay candidates to induce them to take holy orders. On one occasion the telegraph was employed to bring back a man to accept a clerical fellowship. A fellow writing to him as to one of the colleges, said—

> "Merton is much oppressed by these restrictions, inasmuch as no such restriction was imposed in the ancient statutes by the founder, and this curtailment of our freedom was gratuitously imposed upon the college by the Commissioners, acting under the Act of 1854. Practically, the restrictions have injured us much. Over and over again we have been obliged to elect men decidedly inferior to other candidates on the open list. The effect of this is felt in the composition of the Governing Body, and especially in narrowing our field for the selection of tutors."

It was a common speculation at Oxford as to how long a man would be able to hold out if unsuccessful for a lay fellowship. After trying in vain a few times he was pretty sure to go for a clerical fellowship, accepting it as a *pis aller*. Was the Church much benefited when such men joined the ranks of the clergy? Again, Lincoln's Inn had opened its doors, on certain conditions, to clerical students; and there were cases in which men had taken clerical fellowships who intended to follow the law. Did the Church gain much when such men obtained clerical fellowships? The law might gain, and it was possible that one day a clerical successor might—he hoped at a very long interval of time—follow the noble and learned Lord on the Woolsack. He had received a letter from the head of one of the greatest colleges of Oxford, who occupied a leading position in the University, but whose name he was not permitted to give. The writer said—

> "As to clerical fellowships I should have been well content to let them sleep at present and devote myself to the abolition of tests. Colleges can abate clerical fellowships, and most of them are willing to do so. Colleges cannot touch tests, which are imposed by Act of Parliament. But I think this restriction of clerical fellowships an evil. I believe that now and for a long time as many fellows will go into orders voluntarily as are now compelled by the statutes to do so. But the obligation irritates, and prevents many young men from pledging themselves beforehand who would, if left to themselves, feel no objection. Several of our senior fellows who were elected to lay fellowships have been ordained."

These clerical fellowships often operated as an irresistible temptation to a poor scholar, who might well look forward to an easy intellectual life in the cloisters of his college till the falling-in of a fat living offered him domestic peace. Such a system produced a very demoralizing atmosphere, when the talk of the common rooms was how many unsuccessful attempts a man would make for a lay fellowship before he became persuaded that his vocation, after all, was the Church. He did not know what the Church gained either from men like these or from the clerical lawyers who fed on ecclesiastical fleshpots in the recesses of Lincoln's Inn. In arguing in favour of the abolition of clerical fellowships he felt he was pleading on behalf of the Church itself. The power of the Church did not lie in compulsory tests and compulsory priests; which, like the mean buildings abutting on a great cathedral, did not strengthen or embellish the building they adjoined. He hoped their Lordships would support the Amendment.

The Marquess of SALISBURY regretted the charges which the noble Earl (the Earl of Rosebery) had brought against the clerical fellows now at Oxford, especially as he had produced no authority in support of them. Such charges were not to be made simply on anonymous communications. It seemed to him that the noble Earl must have been living in strange society, seeing he had been intrusted with a letter making dishonourable accusations, yet the writer of which durst not give his name. He was, indeed, very curious to know where the noble Earl got his story. A great deal of gossip, no doubt, went about in such places as the Universities —that gossip, too, was of various kinds, There was the gossip of the common room, the gossip of the undergraduates, and the gossip of the scouts. He wondered, at first, to which of those three authorities the curious selection of facts mentioned by the noble Earl was to be attributed; but, on consideration, he thought it most likely it emanated from the third of those sources. He must also remark that the noble Earl was a member of the Select Committee on University Tests, and that he had an opportunity of producing before that Committee witnesses as to the truth of his allegations, who might be subjected to cross-examination; but he had not thought proper to take that course. The charges should therefore be treated, as he felt himself justified in treating them, and that was as being of no value whatsoever. He should, under those circumstances, abstain from entering into details with respect to which the noble Earl appeared to have been thoroughly misled. As to clerical fellowships themselves, as the Government were not about to support the Amendment, he should say very little: he might, however, observe that those fellowships were regarded in the light of indemnifications which the Church of England had received for the large amount of bequests and donations specially made for her benefit, of which the University of Oxford was now in possession. If, he might add, they were interferred with, it would be necessary that the advowsons which belonged to them should be sold also; and he was of opinion that the feeling of the country, which trusted very much to the education of the clergy, would be greatly outraged by such a course of proceeding.

Earl GRANVILLE said, he thought the noble Marquess had somewhat departed from the rule which enjoined the exercise of some forbearance when replying to the remarks of a young Member of the House, and who, having made a speech remarkable for its point and general ability, he might well have deemed a foeman worthy of his steel. The noble Marquess complained that his noble Friend (the Earl of Rosebery) had not brought forward in the Select Committee the particular statements to which he referred; but it should be borne in mind that the present discussion went somewhat beyond the scope of the Bill, and that the noble Earl might hardly feel himself justified in raising the question before the Committee, although it was perfectly natural that he should do so on speaking on a Motion such as that which was being debated, and which had been made by another noble Lord. It was, he might add, somewhat painful to him to speak in opposition to that Motion, supported as it had been by arguments of great weight used in a Liberal sense: but he entertained to it objections of a practical character, which would, he hoped, have weight with his noble Friends. It seemed to him that there had been indications furnished in the course of the debate which would render it unwise on the part of the Government to take any step which might lead to there being a collision between the two Houses of Parliament on the important subject under discussion. Besides, there was a tacit understanding in the House of Commons on the particular point relating to clerical fellowships and the headships of colleges by which the Government were entitled to have the Bill sent to their Lordships' House at an early period; thus avoiding all that delay which might be interposed to its progress through its various stages. That being so, and the real object of the Motion relating to a matter collateral to the Bill, and which, he believed, did not excite the same interest in Oxford as other points connected with it, he must appeal to his noble Friend not to put their Lordships to the trouble of a division of which there could be no doubt as to the result.

The Bishop of OXFORD said, he could not refrain, after the statements which had been made, from rising to defend the clerical fellows of Oxford from the imputations which had been thrown upon them. He had himself examined many of them, and had found them to be men of superior ability, and who did full justice to the profession which they had selected. It had been asserted that the colleges as places of education suffered in consequence of the existence of clerical fellowships. He was, he must confess, astonished to hear that statement. In several colleges the clerical fellows were the only persons who could be depended on for residence; two-thirds of the lay fellows devoted themselves to various professions, and went down to the University once or twice a-year, in some instances only to reverse the decisions of the resident body. He though the could make out a very good case for the clerical fellows so far as education was concerned. He did not believe that these fellowships were any particular gain to the Church, and he repudiated the insinuation that they were making use of Mammon for the support of religion.

Earl GREY said, he would support the Amendment if his noble Friend went to a division, and his reason was because he held it to be a profanation to induce men to enter into holy orders from any low or secular motives. In the Ordination Service candidates were compelled to make a most solemn declaration that they did not take on themselves the charge of the ministry from any motives of that kind, and he did not think Parliament was justified under such circumstances in placing in the way of young men strong temptations to induce them to take orders, not because they were actuated by strong religious feelings, but because that was the condition attached to their gaining certain rewards for proficiency in University studies.

The Duke of SOMERSET hoped his noble Friend would not press the Motion to a division. He should be very glad to support it if he saw a chance of success; but there were now more difficulties than before. The Government stood in the way, and on the other side of the House he saw no signs of relenting.

On Question? *Resolved* in the *Negative.*

The Marquess of SALISBURY moved an Amendment in line 38, after ("office") insert ("nor shall any such statute or ordinance be repealed, except by authority of Parliament"). This, he said, would be in accordance with the opinions of witnesses on both sides, for they urged on the Committee that all contentious questions should be settled within the walls of Parliament. Whatever might be the advantage of permissive legislation, he thought that on subjects like this it would be outweighed by the disadvantage of throwing down the gage of battle in every college.

Lord HOUGHTON hoped their Lordships would not agree to the insertion of these words. It was bad enough that they should have the odium of the transaction which had occurred to-night; it would be extremely repugnant to every good feeling to be always referring every small contest about fellowships to Parliament. The colleges should be left to decide those questions of detail themselves.

The Earl of KIMBERLEY thought the words proposed to be inserted were retrograde in their object. The Bill at present did not deal with clerical fellowship and headships; but a great many who supported this movement were strongly in favour of their removal. The Bill left them precisely in the position in which they now were. He therefore put it to the noble Marquess whether it was wise to throw out a direct challenge to those who were in favour of

Earl Granville

the removal of the existing tests as affecting such offices by taking them out of the power of the colleges, and resting them on Parliamentary statute. The inevitable result would be an immediate appeal to Parliament to remove the statutory prohibitions which now existed.

On Question? their Lordships *divided:* —Contents 56; Not-Contents 54: Majority 2.

Resolved in the *Affirmative:* words *inserted.*

Clause, as amended, *agreed to.*

Clause 4 (Act not to interfere with lawfully established systems of religious instruction, worship, and discipline.)

THE MARQUESS OF SALISBURY moved, in line 7, after ("discipline") to add—

("or the powers of supervision and control over the same possessed by the authorities of the said universities and colleges.")

THE EARL OF KIMBERLEY feared that there might be some tremendous power behind those words. He believed there was some ancient dormant power in the Universities to punish heresies, and if there were it would be too much to give any legislative sanction to it at the present time.

On Question? *Resolved* in the *Negative.*

Clause *agreed to.*

THE MARQUESS OF SALISBURY moved, after Clause 4, to insert—

"It shall be lawful for the University of Cambridge by statute to provide that a degree in divinity shall be a necessary qualification for the Hulsean and Norrisian Professorships of Divinity and the Professorship of Moral Theology in the said university.

"The Morning Prayer and Service according to the order of the Book of Common Prayer shall continue to be read as heretofore daily in the chapel of every college; but nothing herein shall be construed to prevent the use of any abridgment of the same authorized by the head of the college."

THE ARCHBISHOP OF YORK objected to the clause. He objected, not that shorter services should be used, but to the possibility of a new Liturgy being drawn up under sanction of the clause.

THE EARL OF KIMBERLEY doubted whether the words were the most convenient.

THE BISHOP OF GLOUCESTER AND BRISTOL suggested that the power of shortening the service should be limited to weekdays.

Motion (by leave of the Committee) *withdrawn.*

THE MARQUESS OF SALISBURY moved the following clause:—

"The governing body of every college shall provide sufficient religious instruction for all members thereof *in statu pupillari* belonging to the Established Church."

THE EARL OF KIMBERLEY was still of opinion that it was not desirable to enact this clause by authority of Parliament. He was ready to admit that it was not inconsistent with the removal of tests that a provision of this kind should be made; but when they were admitting Nonconformists to the Universities there was something invidious in Parliament selecting one body of the undergraduates, even though connected with an institution so important as the Established Church, and requiring by statute that every college should provide religious instruction for them. He was afraid that if one portion of the undergraduates were placed in that privileged position a certain amount of jealousy and heartburning might be perpetuated among the Nonconformists, for whose children Parliament omitted to provide religious instruction. This matter he thought might fairly be left to the governing bodies of the colleges. Their Lordships had heard a great deal about the necessity of maintaining the religious character of the Universities; but if one portion of the education of undergraduates was more neglected than another at the Universities it was just that religious instruction which the noble Marquess now proposed to make obligatory by statute.

After a few words from the Earl of HARROWBY, who was understood to support the clause,

THE BISHOP OF CARLISLE said, he had some difficulty in knowing what the clause meant. What did the noble Marquess mean by "sufficient religious instruction?" Did he mean that there should be a course of lectures upon the Articles and upon the various doctrines of the Church of England? If so, the clause should distinctly provide to that effect. But if the college chapel was to be regarded as the place to which members of the Established Church were to go for religious instruction, then if the chapel were to be kept up on its present footing sufficient religious instruction was already provided by the present arrangements for members of the Established Church.

THE MARQUESS OF SALISBURY thought the objection of the right rev. Prelate belonged rather to the class of objections that one might expect from a conveyancer than from the bench of Bishops. Nobody reading that clause would say that instruction in Buddhism was to be given. He thought the noble Earl pressed rather hard on Dissenters when he said they would resent a clause of the kind. Nothing struck him more during the examination than the tenderness shown to the Church of England by Dissenters.

Motion *agreed to;* Clause *added* to the Bill.

THE MARQUESS OF SALISBURY moved to insert the following clause:—

"No person shall be required to attend any college or University lecture to which his parent or guardian shall object, or which shall be contrary to the tenets of the religious body to which he belongs."

THE EARL OF KIMBERLEY opposed the clause. Nothing could be more difficult to determine than whether a particular lecture was contrary to the tenets of the religious body to which a student belonged. Who was to be the judge in such a case? Was the undergraduate himself to decide or the Vice Chancellor, or was the matter to be solemnly argued before the Judicial Committee of the Privy Council? He could scarcely conceive any question which could better engage the attention of the acutest legal intellects. In the Committee this clause was suggested as being analogous to the conscience clause that was enforced in private schools; but that was not the fact. Power might be given to any parent or guardian to withdraw his son or ward from attendance at any particular college or University lecture, and that would be perfectly intelligible and practicable; but it would introduce a great amount of confusion if they went further, and enabled the student to withdraw himself from some lecture which might be contrary to some tenet of the religious Body to which he belonged. There were very strong reasons against the Amendment, and he suggested that the clause should stop at the word "object."

EARL STANHOPE said, it was on his Motion that the Committee accepted the words at the end of the clause. It seemed to him that young men of 20 years of age were not incapable of forming opinions on religious subjects, and that, therefore, they ought not to be controlled by their parents or guardians. If a young man had conformed to the Roman Catholic Church it was very probable that his parents or his guardians would still desire that he should attend the Divinity lectures of the Established Church; and under the clause as it stood at first the young man would be compelled to do so. But would not that be a violation of the rights of conscience? With these views he had proposed to the Committee, and the Committee had adopted that part of the clause to which objection had been taken, and he continued to be of opinion that the clause as thus amended protected the liberty of young men and did not expose them to the caprice of parents or guardians.

THE DUKE OF RICHMOND thought the suggestion of the noble Earl (the Earl of Kimberley) would meet the difficulty of the case. The argument of the noble Earl (Earl Stanhope) could scarcely be borne out in fact, because if an undergraduate became a Roman Catholic, his Protestant parent or guardian would cease to maintain him at the University.

THE BISHOP OF LONDON asked if the clause was really intended to apply to any college or University lecture?

THE MARQUESS OF SALISBURY said, the clause was intended to apply to the case of lectures in which there were expressed opinions that were distasteful to parents or guardians. It was clear that the object in view would not be attained by confining the operation of the clause simply to lectures on Divinity, for it was not generally in lectures on Divinity but in lectures on scientific subjects that opinions of an objectionable character were expressed. He was quite willing, however, to accept the alteration of the clause suggested by the noble Earl opposite.

The clause was then agreed to as follows:—

"That no person shall be required to attend any college or university lecture to which his parent or guardian shall object,"

and added to the Bill.

THE MARQUESS OF SALISBURY moved the insertion of another clause relating to the standing at which fellows should be deemed fit to take part in the government of their colleges. The extreme youth of those who took part in the government of the colleges was felt to be a considerable evil, and it was brought to the attention of the Committee in the course of their investigation. Half the resident teaching members of the University were under 30 years of age, and it was therefore proposed by the present clause that no fellow should take part in the government of his college until he had held his M.A. degree for three years.

Moved to insert the following clause:—

"No fellow elected after the passing of this Act shall become one of the governing body of his college, unless he have been appointed tutor therein, until after the expiration of three years from the time of his taking the degree of Master of Arts or Bachelor of Civil Law, Medicine, or Music."

Earl GRANVILLE opposed the clause on the ground that it was most objectionable both in form and substance, that it was irrelevant and that it did not come within the reference to the Committee. One of the Oxford witnesses spoke of the great difficulty of keeping fellows in residence at that University; and it must be obvious that if this Amendment were carried residence would be still further discouraged, because to allow three years to elapse before a graduate could take part in the government of the body to which he belonged would be likely to lead to great indifference on his part. He altogether objected to a factitious arrangement of this sort. It would be exceedingly undesirable, as driving away some of the best men from residence. On general principle it was most objectionable, without deliberate inquiry, to diminish the number and interfere with the constitution of Governing Bodies in this way, unless proof could be shown that the proposal would be advantageous instead of disadvantageous, as he most firmly believed it would be to those bodies.

Earl COWPER admitted that the Committee had not exactly examined into this subject; but a great deal of interesting information bearing upon it had been brought before them. His impression was it would be better that some few years should be allowed to pass after taking the degree of M.A., in order that young men might know their opinions before they took part in the Governing Body.

The Archbishop of YORK thought the adoption of this proposal would be apt to engender a feeling that there was some want of generosity in their treatment of the young, and it would be better to admit them at once wholly and freely to all the privileges of their position.

Earl BEAUCHAMP supported the clause.

The LORD CHANCELLOR regarded the Amendment as not only offensive in its character, but also positively mischievous. The abler men were to be kept back practically till the dullards got their fellowships, after the lapse of five years, and that was the pernicious way in which talent was to be handicapped! It was certainly not the way in which the flower of the University could be retained in the service of their respective colleges. Suppose an able young man were told that he must wait four or five years before he could get into the Governing Body of his college, he would probablygo to the Bar or to some other occupation where his talent would command a market, and his services would be lost to the college.

The Earl of POWIS saw no necessity for putting Masters of Arts under the disabilities proposed.

The Earl of CARNARVON suggested the withdrawal of the clause for re-consideration. He thought it would not be wise to press it to a division.

The Marquess of SALISBURY said, he would withdraw the clause.

Motion (by leave of the Committee) *withdrawn.*

The last Clause read, and *agreed to;* Schedule read, and *agreed to.*

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed* as amended (No. 104).

ADJUTANTS (JURY) EXEMPTION BILL [H.L.]

A Bill to exempt Adjutants from liability to serve on Juries—Was *presented* by The Lord Stratheden; read 1^a. (No. 101.)

House adjourned at Twelve o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 8th May, 1871.

MINUTES.] — Select Committee — *Nineteenth Report*—Public Petitions.

Ways and Means—*considered in Committee*—Tea Duties.

PUBLIC BILLS—*Resolution in Committee—Ordered—First Reading*—Tramways Provisional Orders Confirmation * [130].

Ordered—First Reading—Police Courts (Metropolis) * [131].

First Reading—Protection of Life and Property in certain Parts of Ireland * [129].

Second Reading — Postage * [124]; Pier and Harbour Orders Confirmation (No. 2) * [127]; Gas and Water Provisional Orders Confirmation * [128].

Committee — Army Regulation [39], *debate adjourned.*

Committee—Report—Income Tax and Inhabited House Duties [126]; Lunatics (Scotland) * [117].

Withdrawn—Intoxicating Liquors (Licensing) * [157]; Local Taxation * [105]; Rating and Local Government * [106].

PARLIAMENT—PUBLIC BUSINESS.

QUESTIONS.

SIR ROBERT ANSTRUTHER asked the Secretary of State for the Home Department, Whether, having regard to the objections that have been made to some of the provisions of the Licensing Bill, and the statement made on the introduction of the Bill by the Home Secretary that he would gladly consider any suggestions that might be made for the improvement of the measure, the Government are prepared to make any changes therein; and, if so, whether they will be so good as to state them to the House?

MR. GLADSTONE: I rise, Sir, for the purpose of relieving my right hon. Friend of the duty of answering this question, because I think it will be better, considering the period of the Session at which we have arrived, that I should state for the convenience of the House the intentions of the Government with respect to the progress of Public Business. We believe it to be the duty of the Government to give what light and knowledge we can on the subject, and make as fair and reasonable an estimate as possible of our powers. The remarks, therefore, refer not only to the Question asked by the hon. Baronet, but to the Questions 7 and 8 on the Paper (relating to the Bills on Local Taxation and the Resolutions of the Select Committee on the Business of the House), as well as to the Question relating to the Ballot Bill, of which an hon. Friend behind me has given notice. What I have to say refers almost entirely to the Bills mentioned in the Queen's Speech. There is, however, one exception, with which I will begin—a Bill which has grown out of circumstances not before us for official consideration, as far as Parliamentary action was concerned, at the time of the Queen's Speech—I refer to the Westmeath Crime and Outrage Bill. We propose not to bring that Bill on in the ordinary course of evening business, but to ask for a Morning Sitting on Friday next for the purpose of reading it a second time. There is one other subject which it may be convenient to dispose of before Whitsuntide in the same manner—namely, the consideration of the Resolutions arrived at in Committee on Public Business. I may here, perhaps, be permitted to say that, as to one of the Resolutions arrived at by the Committee, the commencement of business at a quarter-past 4 o'clock, I have consulted Mr. Speaker, and learn from him that, putting aside the case of Private Bills, such as the one we have just been considering, and subject to any final decision of the House, the state of Public Business is such as to warrant our commencing at that hour, and in the meantime, pending the decision of the House, that course will be taken. There are three of the measures mentioned in the Queen's Speech that may be considered as either actually or virtually passed through this House. One of them is the Trades Unions Bill; the second is the University Tests Bill, which stands for discussion in the House of Lords this evening; and the third is the Ecclesiastical Titles Bill. Then, Sir, the next Bill is the Army Regulation Bill, with which we are to proceed to-night; and in case no unforeseen necessity should arise, it is our intention to go forward with that Bill upon the ordinary Government nights until we are through Committee. After that, as has been said before, we shall proceed to the Ballot Bill. That Bill stands for Mr. Speaker leaving the Chair; but it will be recollected that before Easter hon. Gentlemen opposite very courteously allowed the second reading to be taken, almost without discussion, on the understanding that the debate which usually occurs on the second reading should be taken upon Mr. Speaker leaving the Chair. In fixing the day for that Bill care will, of course, be taken that hon. Gentlemen opposite shall have due notice. After that will come the Scotch Education Bill. Then there are the Bills relating to the important subject which we have described generally under the name of

Local Rating, which were introduced after a prolonged and comprehensive statement by my right hon. Friend the First Lord of the Admiralty. It is not possible for us to proceed with these Bills during the present Session, and we should not, therefore, proceed with either of those two Bills. Then there are the Bills which are called the Lord Chancellor's Bills, which were before Parliament last year. With regard to those measures it is extremely desirable that they should be discussed in the House of Commons, and that the opinion, especially of the legal profession, should be elicited with respect to their provisions. I am not, however, able to announce any resolution on the part of the Government respecting them. Whether we shall be able to bring them forward will depend upon the state of public business; but we will give the House as early information on the subject as we possibly can. There still remains a very important Bill—the Licensing Bill. That Bill, which is briefly called the Licensing Bill, is susceptible of a rough division into two parts—one referring to the subject of Licensing, and the other to the subject of Regulation; the granting and condition of licences on the one hand, and the actual regulation and jurisdiction on the other. With regard to the first of these subjects, we have been obliged to come to the same conclusion as with regard to Local Rating. It is not in our power to bring that subject fairly to issue in a manner to do justice to the subject and to all parties in the House of Commons, and, consequently, with regard to that most important portion of the Bill, we think the most regular course will be to withdraw that Bill; but allow me to add that, as regards that portion of the Bill dealing with the question of Regulation, it is by no means our intention to abandon it. We hope it will be in our power to embody those clauses, or a great portion of those clauses, in another Bill, and we hope not only to be able to introduce that Bill, but to pass it into law in the course of the present Session. I could not give any minute definition of the nature of these portions of the Bill beyond saying that they are what may be called the police clauses relating to the hours of closing and to adulteration; and also those relating to the difference of jurisdiction over beerhouses and publichouses. I have, I think, mentioned the whole of the Bills named in the Queen's Speech. There are others of great importance, not mentioned in the Queen's Speech, which we also hope to pass. Among them are the Tables of Lessons Bill, which we are engaged in considering before asking the House to go into Committee upon it; the Mines Regulation Bill, the Pilotage Bill, and the Merchant Shipping Bill.

MR. CRAWFORD asked, Whether the Chancery Funds Bill would be proceeded with?

THE CHANCELLOR OF THE EXCHEQUER: Certainly.

MR. HUNT asked, Whether the Government had come to any decision about the Game Laws Bill introduced by the Lord Advocate, and whether they would support his suggestion to read all such Bills a second time, and refer them to the same Committee?

MR. BRUCE said, he would gladly adopt the suggestion of his right hon. Friend.

NATURAL HISTORY MUSEUM, SOUTH KENSINGTON.—QUESTION.

MR. CAVENDISH BENTINCK asked the First Commissioner of Works, Whether Her Majesty's Government have approved any design for the exterior architectural elevation of the proposed Natural History Museum at South Kensington; whether the approved design is substantially the same as that now exhibited by Mr. A. Waterhouse at the Royal Albert Music Hall, and numbered 3,673; and, if so, upon what grounds a design has been adopted which is at variance with the style of the adjacent buildings of the South Kensington Museum; and, whether, before the Vote for the Natural History Museum is proposed, he will exhibit Drawings or a Model of the approved design within the precincts of this House?

MR. AYRTON said, in reply, that the design now being exhibited in the Hall of Arts and Sciences at Kensington for the proposed Natural History Museum at South Kensington, was prepared some three years ago for the information of the Commissioner of Works; various improvements were being made in it, and as soon as those improvements were completed he would exhibit it in the Library of the House if desired. With regard to the design conforming to any other building in the neighbourhood he presumed that must be an architectural canon, as it was insisted on by the hon. Member, and, if so, no doubt the architect would conform to it; but, if not, the architect would, no doubt, exercise his professional discretion.

INDIA—COST OF DRILL, INDIAN SERVICE.—QUESTION.

Colonel SYKES asked the Secretary of State for War, Whether the cost of drilling a Cavalry recruit for ten months for home service to fill up vacancies in the Cavalry in England, and the cost of drilling for seven months of an Infantry recruit in England is the same as the charge upon the Revenues of India for recruits for the Cavalry and Infantry, namely £136 13*s*. 11*d*. for the Cavalry, and £63 8*s*. 5*d*. for an Infantry recruit sent to India ?

Mr. CARDWELL replied that the cost of drilling for the Indian service was made up as follows :—For the cavalry the pay, clothing, forage and all charges for a recruit for 10 months was £58 5*s*. 9*d*.; the charge for the depôt troop, £44 4*s*. 8*d*.; and with one-third added for deaths, desertions, and men unfit to go to India, £34 3*s*. 6*d*., the items gave a total of £136 13*s*. 11*d*. For infantry the charge for pay, &c., per recruit was £30 9*s*. 4*d*.; company charges, £17 2*s*.; and the one-third, £15 17*s*. 1*d*., making £63 8*s*. 5*d*.

EDUCATION—THE NEW CODE (1871.) QUESTION.

Mr. DIXON asked the Vice President of the Council, Whether his attention has been called to the following paragraphs in the monthly paper of the National Society for May, pp. 75, 76 :—

> "Then with respect to the time for admitting children who object to the religious teaching given in the School, and who wish to take advantage of the protection afforded by the Conscience Clause, we would say, in all cases, when it is practicable, require them to enter School at the same time as the others.
>
> "If there is no Class Room they would be obliged to remain outside till prayers were concluded. . . . With such an arrangement cases of conscience would probably be found to have no existence ; all the children would readily join in the prayers and in the religious lesson ;"

and, if so, whether he will state, for the information of Teachers and Managers, whether they have the power to make such arrangements as will "oblige" the children "to remain outside till prayers were concluded ?"

Mr. W. E. FORSTER said, in reply, that if there was an endeavour to compel children to attend at a certain time, and keep them outside until prayers or any other religious ordinance was finished, it would be contrary to the spirit and letter of the Education Act, and it would be the duty of the Government to interfere and prevent its being carried out. It was only fair to add, that having carefully read the whole of the document to which reference was made, and filled up the gaps which the hon. Member had left, he did not think, although the words were open to objection, that the object was to defeat the spirit of the Act, or to attempt to prevent children from being withdrawn from religious instruction, and at the same time receive the advantage of secular instruction.

ARMY—MARTINI-HENRY RIFLE. EXPLANATION.

Colonel BARTTELOT wished to make a personal explanation. A letter had been put into his hand written by Dr. Pole, in which that gentleman expressed himself rather aggrieved by some remarks he (Colonel Barttelot) had made in his speech a few nights ago in the discussion on the subject of the Martini-Henry Rifle. He therefore wished publicly to state that he had no intention whatever of casting any imputation on that gentleman or on any of the other mechanical engineers who gave evidence before the Committee ; and if he had said anything which could be construed it that way, he begged to withdraw it.

INCOME TAX AND INHABITED HOUSE DUTIES BILL—[Bill 126.]—COMMITTEE.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter.*)

Order for Committee read.

Mr. HUNT said, he wished to call attention to the circumstances under which the Bill had been read a second time. On Friday an appeal was made to the right hon. Gentleman at the head of the Government not to proceed with the second reading, on the ground that the Bill was not in print, when that right hon. Gentleman said that the Bill was a mere formula, and that its not being in print was not a sufficient reason for not proceeding with it. In consequence of that statement, he (Mr. Hunt) had dissuaded some of his Friends from objecting to the second reading; but, on perusing the Bill he had since received, he found it had reference not only to the income tax— as might be supposed from its title—but also to the inhabited house duty, and likewise that it contained some entirely new provisions in regard to assessors, substituting Government officers as surveyors in place of the present officials. He did not suggest that the right hon. Gentleman opposite had intended to mislead the House, but greater care ought to have been taken before making such a statement; and, at all events, the House had lost an opportunity of expressing its opinion on the change proposed in the Bill. He also thought it a question whether there ought not to be a Standing Order that no Bill should be read the second time unless it was in print; and if, in any particular case, such a rule would prove inconvenient, it might be suspended.

Mr. GLADSTONE said, the right hon. Gentleman was perfectly justified in raising the question; but it would not be convenient to adopt such a rule as that just suggested. As a matter of fact, the Bill was in print some hours before the second reading, and perfectly accessible to hon. Members; but he admitted that it was only by the indulgence and the general concurrence of the House that a Bill which was not on the Table could be read a second time. The part of the Bill which the right hon. Gentleman said did not answer to the description of a mere formula certainly did not appear in it every year, and therefore, so far, it was not an absolutely uniform formula; but it was a clause that was regularly inserted when a new assessment was about to occur.

Bill *considered* in Committee, and *reported,* without Amendment; to be read the third time *To-morrow.*

House *resumed.*

ARMY REGULATION BILL—[Bill 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, and The Judge Advocate.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Secretary Cardwell.*)

Colonel ANSON, in rising to move—

> "That in any scheme for the abolition of Purchase in the Army the State as well as the Officers must forego the advantages hitherto derived from that system, and in order to give the State that unrestricted power over the Officers of the Army which it is desirable it should possess, and also in justice to the Officers of the Army themselves, the regulation value of their Commissions shall be at once returned to them,"

said, that objection had been taken to the form of his Resolution, and regret expressed by some hon. Members that he had not dealt with the Bill in a larger manner than his Resolution permitted. If he had had to deal with a Resolution on the second reading of the Bill, he should certainly have moved one to the effect that the Bill should be read the second time that day six months; but when they reached the stage of Committee, other considerations had to be taken into view. So great were the principles and interests involved in the measure, that it would be almost impossible to deal with the Bill as a whole, and it seemed to him that when the Secretary of State drew it up, he could have hardly understood the vastness of the interests it involved, and he thought it was a pity the right hon. Gentleman had not adopted the suggestion he had thrown out very early in the Session—that the Bill should be divided into two parts—the one relating to purchase, and the other embracing the remaining portions of the measure. The principal part of the Bill was the question of the abolition of purchase; and it was a curious fact that although they had had many Motions brought before the House as to the advisability of abolishing purchase, they had never yet had any discussion whatever on the mode in which it ought to be abolished, or on the interests involved as regarded the officers. Now, they had to consider not only the interests of the officers, but the discipline of the Army, which had always been the pride of this country, for one of the best features of our Army was the marvellous *morale* which had always existed among the officers and the extraordinary discipline of the service—matters which would be materially affected by that Bill. The Government Bill professed to do away with purchase in the Army, and he would admit that its proposals were fair, so far as officers intending to leave the service within the next few years were concerned; but it was grossly unjust to those officers who wished to remain in the Army, and to whom they must look for the maintenance of the future discipline of the Army and the education of its officers. No alteration was proposed to be made by the Bill in regard to the position of the officers remaining in the service, and the scheme was, in fact, neither more nor less than a scheme of retirement. Hitherto officers had enjoyed a peculiar system of promotion, the effect of which had been that, after they had made themselves efficient, their promotion was perfectly independent of all exterior influence—either political, aristocratic, or other influence; and in this consisted the real secret why the purchase system had been so popular; yet the Government proposed to substitute for this system one of selection, which, however attractive it might be in theory, was utterly impracticable—a system antagonistic to the instincts of a soldier, and consequently hateful to him. Beyond this, moreover, the Government proposed to interfere with other powers which officers had hitherto enjoyed—the power of exchanging, for instance. Now, this had proved of the utmost value to officers who, as in the English Army, were liable to serve in every quarter of the globe and in every variety of climate, and it was one of the points in which the Government Bill would unjustly interfere with the professional prospects and social life of officers in the Army. This was not proposed to be done in the non-purchase corps only, but also in that branch of the Army which had been described from the Treasury benches as being mortgaged to the officers for £8,000,000 sterling. He (Colonel Anson) must venture to think that the Prime Minister was altogether wrong in supposing, as he affirmed he did, in his speech on the second reading of the Bill, that the property which officers held in their commissions acted as a bar to Army reform; and that, notwithstanding the feeling of property, officers were always ready not only to submit to, but to assist in promoting real reforms in the service; but passing on to touch upon the pecuniary interest involved in the measure before the House, he should consider first the responsibility of the Government with regard to the purchase system, and explain what that system really was. Last winter several speeches on the subject were made by the hon. Member for the Border Burghs (Mr. Trevelyan), and the result of those deliverances was simply to mislead the country upon the whole question, and to leave it in a far greater state of ignorance than it was before. The effect of the speeches upon the minds of the hearers of the hon. Gentleman was to lead them to suppose that, under the purchase system, whenever a vacancy occurred in a regiment, or an officer wished to leave the service, his commission was put up and sold to the highest bidder, than which nothing could be a more exaggerated view. Again, in *The Edinburgh Review* of January last, there appeared an article on the same subject, generally supposed to have been inspired by Lord Sandhurst, but containing no single word that was founded upon the slightest shadow of truth, in its description of the practical working of the purchase system. These were two illustrations of the way in which people were misled on this question, and he never could understand the object people had in view in acting as they did in this manner, until he heard the speech of the right hon. Gentleman the Prime Minister, in the debate on the second reading of this Bill, from which it appeared there was a reluctance to explain the principles of the Bill, or what the purchase system really was. That speech showed him that the object of those who took the line of the hon. Member for the Border Burghs and the writer in *The Edinburgh Review* was to place, if possible, the whole responsibility of the purchase system—whatever was bad or immoral in it—upon the shoulders of the officers, and so to relieve the Government from the responsibility of retaining what they hoped to persuade the country was an abuse, in the creating of which Parliament had had no hand. The Prime Minister had stated that the mortgage of £8,000,000 to the officers in the Army had originated by the incoming officers paying to the outgoing officers the worth of their places; but there could scarcely be a greater misapprehension of the case, or a more complete begging of the question. With regard to over-regulation prices, the simple passing of money from officer to officer had nothing immoral in it, beyond the mere fact of the State having nominally forbidden it, and if he had to deal with only one class of officers, he should be able to repudiate all desire to receive the over-regulation money provided they were at once paid the regulation price; but unfortunately there were two classes of officers—those in the infantry and those in the cavalry—and by no fault of the present men, the over-regulation prices in the cavalry were far larger than in the infantry. It might have been thought, that when the question of regulation prices was disposed of, an appeal might be made to the generosity of the House of Commons to make some compensation to officers as regarded over-regulation money, or they might be dealt with according to the proposal of the hon. Member for Birmingham (Mr. Muntz), which was the most statesmanlike that had yet been made. With respect, however, to regulation prices, which was the more important subject, as affecting the interests of all those officers who were to remain in the service, and upon whom the future efficiency of the Army would depend, the Prime Minister had endeavoured to make out that they stood in exactly the same relation as over-regulation prices—as transactions between officer and officer. It would be his duty to completely upset that theory of the right hon. Gentleman, because on that point much depended. What were regulation prices? One of the first duties of the State towards a standing Army was to insure the efficiency of the officers, and not the least important matter was to secure men in the prime of life, who could undergo the fatigue of military duty in any climate. In this country, and in this country alone, had they succeeded in obtaining such officers, and they had done it at a cost of £1,200,000 a-year; yet year after year had the Government come down to the House of Commons and asked for £300,000 only, in order to provide for the expense. How was this accomplished? The Government went to the officers of the Army and said—"If you like to subscribe for what the State ought to provide, you shall be allowed to go over the head of all the seniors in your regiment." That was an arrangement between the Government and the officers in the Army, and the officers in the Army could not say it to their fellow-officers; and that fact alone, he considered, fixed the responsibility of the transaction upon the Government. As his case, however, would be a poor one if it had to rest on that point alone, he would strengthen it by referring to another—namely, that of allowing officers who had not purchased their commissions to sell them at the regulation prices. That was first permitted by a Royal Warrant of Queen Anne in 1711, and since then the system had been gradually extending. That was the first instance on record he could trace of the Government taking these purchases in their own hands, and since that time they had, year by year, taken more to the system, until, in 1766, Lord Barrington wrote an able letter protesting against its continuance; in 1823 and in 1833 the matter was the subject of discussion; and in 1839 a Royal Commission, which was presided over by the Duke of Wellington, went very fully into the subject, and decided against Lord Barrington's letter, and in favour of allowing non-purchase officers to sell their commissions. In 1838 or 1839 there arose the custom of allowing non-purchase officers to sell for £100 per annum, if on foreign service; and £50 per annum, if on home service. But this could not be a transaction between one officer and another officer, for the Government said to the non-purchase officer—"If you like to leave the service, we will give you £100 a-year for foreign, and £50 for home service;" and then they went to the officers who wanted to purchase and bargained with them, or, in other words, they bought of one officer at one price, and they sold to another at a different price; thus, the whole transaction was not between officer and officer, but between the Government and one officer, and then the Government and another officer. The first time that the Government began to make a profit out of the purchase system of the Army was in the year 1795. In that year, in order to provide for certain expenses, there was established the Half-pay Fund, which now existed under the name of the Reserve Fund, and by a Return which had been issued that day, it was shown that since 1840 that fund had amounted to £1,712,829, but, as far as he could trace — without having official documents at command —the profits of the purchase system had been £3,000,000 sterling since 1795. The system of making a profit out of the purchase and sale of commissions was never fully developed until 1854, when there was in office the first of a long succession of amiable Secretaries for War, not the least amiable of whom was the present right hon. head of the Department. Well, what was done by Mr. Sidney Herbert, when the Crimean War broke out? The English Army was a small one; when war broke out it had to be rapidly increased, and, at the conclusion of hostilities, it had to be speedily diminished. Instead of providing transports for the soldiers, or making commissariat arrangements to keep them alive in the Crimea, Mr. Sidney Herbert was engaged in preparing a scheme for the reduction of the expenses at the close of the war, and with that view commissions were sold by the Government to the amount of £45,000. He himself had to pay, while serving in the Crimea, £1,100 to the Government, not to an officer, for his company, although he might have been shot the next day. Shortly after the Crimean War, great difficulty was experienced in providing officers for the cavalry regiments, and the Government, arriving at the conclusion that that difficulty was occasioned by the regulation prices being too high, determined to reduce it at a cost of between £300,000 and £400,000; but did the Government come to the House of Commons for the money? No; they made the purchase officers of the Army bear the expense not only of that, but of the other reforms effected in the Military Train, in the corps of the Gentlemen-at-Arms, in the corps of the Beefeaters, in the Royal Artillery, and in the Engineers. And lastly, although not least, an Under Secretary for War—not a Parliamentary Secretary, however—a captain in the Engineers, holding an appointment of £1,500 per annum in the Civil Service, and, therefore, unable to draw his half-pay, wishing to receive the sum of £1,800 for his commission, three wretched subalterns in a purchase corps were made to pay it. In order to raise funds necessary for these various reforms, death vacancies, which in fairness ought to have fallen to the chance of the non-purchase officers, had been sold by the Government, as well as full-pay retirements, and the commissions of 66 colonels commanding regiments, who had gone on half-pay during the last nine years, had been sold by the Government for £276,000. And this was what was called by the Prime Minister as being merely stewards in the transactions that occurred between the officers—if the Government took the part of a steward in the matter at all it was that of an unjust steward. He need scarcely remind the House that the purchase officers of the Army were not fools—they were perfectly aware of the vast profit that the Government made out of the existing system, for the immoral part of which, at all events, the Government was wholly responsible. The purchase officers had borne in silence all the abuse that had been heaped upon them during the agitation that had arisen during the past winter with regard to this question, in consequence of the excellent discipline that was always maintained in the ranks of the Army; but when the Prime Minister came down to the House and endeavoured to shift the responsibility in the matter from the shoulders of the Government on to those of the officers, the last straw was added to the weight upon the camel's back, and they felt bound to come forward in their own defence.

Mr. GLADSTONE: I deny that the Government ever attempted to throw the responsibility on the officers.

Colonel ANSON said, that the statement of the right hon. Gentleman, that in the transactions between officers and officers the Government merely acted as a steward, was equivalent to throwing the responsibility for the system upon the officers. The Bill of the Government did not deprive the officers of what was called vested interests in the regulation value of their commissions, and, therefore, it was a hypocritical Bill, not doing that which it professed to perform; moreover, the right hon. Gentleman at the head of the War Department had said that an unpaid service was the dearest, and that the system of traffic in a generous service ought to cease, and yet he proposed by his Bill to sell the rank of major-general, and to trade upon the lives of the officers. The fact was, that the Government refuted their own arguments by their Bill, for in dealing with the pecuniary injustice to the officers which would result from this Bill, he would point out, in the first place, how this measure would affect purchasing officers. When a purchasing officer paid various sums at different times for his commissions, he regarded all those payments as forming part of one large transaction, by which he hoped, on the faith of the agreement he entered into with the Government, to eventually attain the object of his ambition—the command of his regiment; if such was the case, was he entitled to no compensation, when the agreement he had entered into in that hope was put an end to? Take the case of the wretched ensign who had just paid £450 for his commission—was he to be told that unless he retired at once he was to lose the whole of that amount, and that the value of his commission would be confiscated, in addition to his hopes for the future being destroyed? The case of a non-purchase officer was nearly as bad, because he had entered the service on the faith of a definite understanding that he was to receive £100 per annum for foreign, and £50 per annum for home service, and that at the end of 20 years he was to receive the full value of his commission, should he wish to sell, and now the Government told him that he was no longer to serve upon those terms, but upon others which were materially different. The Government said to him—"The value of your commission shall no longer be cumulative; we will not pay you what you have already earned; but we will take the chance of your dying." There never was a greater breach of faith on the part of any Government than in repudiating the payment of the £100 a-year, and the £50 a-year, without compromising the matter, and, at all events, paying down what the officer had already earned. Many of these men had allowed themselves to be purchased over, because they would not put themselves to personal inconvenience; and because they preferred waiting a few years longer and having the power of selling their commissions for full value, on the faith of the Royal Warrant; but by the new scheme they were deprived of their future chance of selling. There were very few men who went into the Army with the intention of purchasing all their commissions, and many poor men, with wives and families, had borrowed the money, in order to purchase their one commission, in the hope of recouping themselves by the sale of their commission on the attainment of a higher rank. This prospect was now destroyed, and it was a gross injustice to those men. The discontent the Bill had created among the officers of the Army had been very serious; and, if the Bill were carried in its present form, the discontent existing now was nothing to the discontent which would exist 10 years hence, when officers, the value of whose commissions the Government had retained, would be serving side by side with officers who had come in under the new system. Fortunately, up to the present time the punishment of officers was almost unknown; but a case might arise in which two officers serving side by side might be tried for the same offence, dismissed the service, and disgraced, and one would lose the value of his commission, and the other would suffer no such loss. Again, how were they going to adapt the system of selection in future? Suppose, for example, that in a particular regiment the senior captain had purchased over the heads of three or four other captains, and had paid his £1,800, whereas the captains beneath him had paid nothing, under the system of selection at the will of the Secretary of State for War the position of these officers might be reversed, and the senior captain might see one of those beneath him promoted over his head; but was it not certain that such an occurrence would breed infinite jealousies and heart-burnings, tending to the utter extinction of the existing discipline and *morale* of the Army? Again, in regard to selection between our present and future officers, how would they be able to select officers to go over the heads of the present officers, if they were not going to return the money value of their commissions? Lastly, supposing war was to break out, and they had their Army half officered under the old system and half under the new, what would be the result? It was impossible to believe that there could be good feeling between officers serving side by side on the field on totally different terms. The Surveyor General of Ordnance had admitted in a speech he had made that officers on active service did not enter the field without thinking of the risk they ran in connection with the price of their commissions—that these vested interests presented themselves at every turn, and that no reform could be effected until the difficulty was removed. What was the meaning of that, but that the difficulty to be removed was the thought of risk present to the mind of the officer when he entered the field? As an officer of some experience in active service, quite equal, he thought, to that of the right hon. Gentleman, although he was greatly his (Colonel Anson's) superior in rank, he must enter his most emphatic protest against such language, for he had never known an officer's pecuniary interest in his commission have the slightest effect upon the manner in which he discharged his duty; but he feared that the opinions expressed by the Government would also be the opinions of officers in future; and it must be remembered they ran risks from exposure and disease equal to, or greater than the dangers of actual hostilities. He had got nearly to the end of all that he had to say, and he thought he had shown that, under the proposed mode of abolishing purchase, great sentimental grievances would arise; and that the only rational, honest, straightforward, and sensible way of dealing with purchase was to get rid of the responsibility of regulation prices, and to put them down at once. His proposal was the foundation of almost every other Amendment on the Notice Paper, including those that stood in the names of the late Judge Advocate, of the hon. Member for Birmingham (Mr. Muntz), the hon. Member for Caithness (Sir Tollemache Sinclair), the hon. and gallant Member for Norwich (Sir William Russell), and the hon. Baronet opposite (Sir George Jenkinson). The right hon. Gentleman, in introducing the Bill, made a poetical quotation, to the effect that officers of the Army were not "covetous of gold;" but he had not that confidence in his cause which would enable him to say with Henry V.—

> "Rather proclaim it, Westmoreland, through my host,
> That he which hath no stomach to this fight,
> Let him depart; his passport shall be made,
> And crowns for convoys put into his purse."

No; the right hon. Gentleman knew that the scheme he proposed was so unjust that he had to put in a limitation clause; and unless he had done so the officers would have departed, and the Consolidated Fund would have disappeared. The right hon. Gentleman had since seen the error of his way, and consequently by the withdrawal of this limitation clause the whole of his calculation of the cost of his scheme fell to the ground. He (Colonel Anson) believed, indeed, that if the Bill passed in its present form, half the officers of the Army would retire. No control over the expenditure consequent upon the Bill would be possible; and if there should be a large amount of retirement, the taxation to meet the cost of abolition would all fall upon the ratepayers of the next two or three years, although the country would not receive any benefit for the next 25 years; whereas, if the Government decided to pay down the regulation price of the commissions, the exact amount could be ascertained, and distributed equally and justly over a space of 20, or 30, or 40 years. Besides that, we should get rid of what the Government condemned as a vicious system. He had trespassed so long upon the attention of the House, that he would abstain from touching upon some other points that he had intended to refer to; but there was one argument that had been made use of which required a moment's observation. It was said that the officers of the Army had no legal claim to the price of their commissions. He frankly admitted it; the officers had no legal position: and if the Secretary of State for War chose to deprive an officer of his pay, he had no legal ground of action whatever to recover it; but surely that fact ought to make the Government and the House all the more careful to deal with the subject in an equitable manner. He most sincerely hoped that they would have no threats from the Government, such as they had uttered in reference to other Motions this Session. The whole subject was one that ought not to have been approached, except after the most careful consideration both on the part of the Government and of the House. He trusted, therefore, that they would hear no threats of abandoning the Bill, and none of the character dropped the other night by the hon. Member for the Border Burghs, who threatened that if the officers refused the terms now offered, they would get worse ones next year. He would only say that he did not consider that hon. Gentleman to be the exponent of justice on the part of the nation; and for himself, he certainly should not diverge one jot from the line he had marked out for himself, on account of any threats from the hon. Member. He hoped that the Government would deal with this matter in a liberal spirit; because not only the pecuniary interests of the officers, but the character and tone of the Army were at stake, and he was quite satisfied now to leave the whole question in the hands of the House of

Commons. The hon. and gallant Gentleman concluded by moving the Amendment of which he had given Notice.

Colonel BARTTELOT, in seconding the Motion of his hon. and gallant Friend, said, he thought that the House would agree with him that a more clear and lucid statement had never been heard there than that which his hon. and gallant Friend had just given them. His hon. and gallant Friend had gone so minutely and so clearly into the details of this most complicated subject, that if he had spoken at even greater length the House would have been repaid for listening to him, as many hon. Gentlemen, up to a very late period, had little knowledge, if any, of the purchase question; and he would venture to echo the hope his hon. and gallant Friend had expressed, that the subject would be considered exclusively on its merits, and in no party spirit; for it affected far too deeply the interests and efficiency of the officers and the Army, to be made the occasion either of party action or bigoted feeling. Now, in regard to the over-regulation price, he gladly admitted that there was a wide difference between that and the regulation price; but, nevertheless, he was not prepared to admit that, in justice to the officers, it ought to be withheld, seeing that the Government had recognized their right to receive it, and a Royal Commission had reported that it could not be ignored. In such a case, the sense of justice of the House of Commons would tell them that the officers who, as a body of men, had, on all occasions, proved themselves worthy of the confidence of the country, ought not to be deprived of that which they had a fair right to receive. The abolition of purchase was now proposed, not in the interest of the officers, but of the public at large; and, for his own part, he would like to have seen the whole of the money paid down; but as that could not be done, let them at least pay the regulation price which had been exacted by the State from every officer before he received his commission. The plan of the Government, he must say, was singularly injudicious and unjust in another respect. The officer who decided to retire could be paid down; but upon the officer who preferred to remain—and who, in the majority of cases, would by that mere act prove himself attached to his profession and hopeful of rising in it—upon him would fall the whole injustice perpetrated by the Bill; and suppose he went abroad and died, would the officers beneath him be benefited? Not at all; for the price of the commission was to go into the pockets of the State, to pay for that scheme of retirement of which they had as yet heard nothing. Surely, in bare justice, the officer had the right to expect that, if he died, the price of his commission would be paid to his relatives, instead of being absorbed for the benefit of the State. It had been said that it would be unjust, if they were to return to an officer the money which he had paid in purchasing over the heads of other officers; but a more fallacious statement could hardly be imagined. Suppose, for example, that Major A had purchased over Captain B, would he have obtained the superior post unless he had been a man of good character and fit for the position? Certainly not. Was it not a fact, also, that Captain B had risen to that position by this very purchase system? How, then, could it be argued that Major A ought to be placed on the same footing as Captain B? Now, he wished to point out that the Bill must be considered as a whole, and especially in regard to its effect upon the future position of our Army. If a war was to break out 10 years hence, their Army would be commanded by a large number of officers who had not purchased, and by a larger number that had. What sort of feeling could exist between them? Would the officers who had to face the perils of the battle-field, with the whole price of their commissions round their necks, feel no discontent when they compared their position with that of the officers who had absolutely no pecuniary interests at stake? It was well known that officers were very loth to make a parade of their grievances; but he could assure the House that in every regiment and in every mess-room the injustice of the Government Bill was keenly felt, and that feeling would gather force as time rolled on. Then, again, the question of selection was so mixed up with that of purchase that they could not be separated. Let the Secretary of War look back a moment, and see how the principle of selection had worked. Was there a single instance in regard of an officer commanding a regiment having failed to do his duty in the face of the enemy? But were there not many cases of the higher officers having not failed in their duty, but failed to do it to complete satisfaction? When promotion went by selection, the men who stood the best chance of favourable notice were those who were on the Staff, or under the eye of the general; while many a poor commanding officer of great capability had no witness to see or to report his deeds of successful skill and valour. Now, in regard to selection, he would only mention one instance, and that one had been afforded him by the right hon. Gentleman (Mr. Cardwell) himself. He was not going to say a word against the individual whom the right hon. Gentleman had thought fit to promote; but he only wished to show how easy it was, when a man had the opportunity of doing a special service, to promote him over the heads of his fellows. He would take the case of a certain gentleman in the War Office, who had been of the utmost use to the right hon. Gentleman, who was, in War Office parlance, called an ensign, or one of the third class of clerks. He was promoted to be lieutenant-colonel—namely, a superior over the heads of all the other clerks in the War Office, simply because he had been of service to the right hon. Gentleman. In saying what he had said, he believed that gentleman to be a man of great ability and experience, and merely mentioned the circumstance to show that it was easy to see the merits of one man who was close at home, and not to see the merits of another who was at a distance. Therefore he submitted that the system of selection might be carried to such an extent as to be very prejudicial to the service. Now, he would go back for one moment to the Crimean War. Before that war the strength of a regiment was something like 850 men; but when the war broke out the regiment was raised to 1,000, or 10 companies of 100 men each. There was one particular regiment—the 2nd battalion of the Rifle Brigade—which went out to the Crimea, and it received 150 volunteers from the 1st battalion of the Rifle Brigade, many of them being old and disciplined soldiers. What happened? The regiment was discontented at having 15 per cent of a different regiment placed amongst the 850. He now came to what happened in July last. The right hon. Gentleman made a statement, after the celebrated "Flying Column" had been to Wimbledon, to the effect that the Army was never in a more efficient state than it was at that moment. Now, he believed that if the right hon. Gentleman had spoken in August he never would have made that statement at all, for what occurred immediately afterwards? He came down to the House and asked for an increase of 20,000 men, and an expenditure of £2,000,000 for that purpose and for the Navy. The object was to make the regiments, which were 500 strong instead of 850, up to the fighting quantity. Now, what would happen in the course of five years if we were called upon to go to war? We should have officers in regiments who had still got the purchase money hanging round their necks; we should have the system of selection in force; and we should have regiments 500 strong. But composed of what? Why, of lads from 17 to 20, totally unfit to do their duty before an enemy. And how were the regiments to be made up to 1,000? The right hon. Gentleman hoped to get them from the Reserve; and by that means we should have 500 men, drawn from all parts, sent down to different regiments. He had no fear of any invasion of this country, but we might have to send an Army to Canada or to India; and in what position should we be if we had to send out, without warning, men under 20 years of age, and Reserve men, who knew nothing of the officers commanding them, and under a colonel, perhaps, just selected? It had been said that the Prussian system was perfect; no doubt it was. But could we carry it out? Conscription was repudiated; but unless we had that or longer enlistment, we must signally fail. How did Prussia act? She brought her men together, they knew each other and their officers, and were formed into one homogeneous mass, which the right hon. Gentleman had not attempted to do in the case of our Army. Would our case be at all the same? The Reserve men he might think of getting would probably be married, or men with lucrative appointments, who would try to evade their obligations when they knew they were about to be sent to distant parts of the globe. The whole question was one of so serious a nature that he had ventured to bring it briefly before the House, as he thought it demanded, and would, he hoped, receive the fullest consideration. Early in the Session the right hon. Gentleman made a speech which was well thought of both by the House and the country, and if he had carried that speech into practice there would have been nothing to complain of; but the Bill of the right hon. Gentleman failed in any way to correspond with the sentiments of that speech, and it would not, if passed, weld into one homogeneous whole the Army of which they were all so proud, but which was still capable of improvement in some particulars. He had two situations to choose from—the rock and the sand. He had chosen to build on the sand; and it was to be hoped that when the wind should blow and the waves should rise, it would be to drive the right hon. Gentleman from the post which he now occupied, and not end in the ruin of the Army and the humiliation of the nation.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in any scheme for the abolition of Purchase in the Army the State as well as the Officers must forego the advantages hitherto derived from that system, and in order to give the State that unrestricted power over the Officers of the Army which it is desirable it should possess, and also in justice to the Officers of the Army themselves, the regulation value of their Commissions shall be at once returned to them,"—(*Colonel Anson,*)

—instead thereof.

CAPTAIN VIVIAN said, no one in that House, or out of it, had a greater right to speak for the officers of the British Army than was possessed by the hon. and gallant Member for Bewdley (Colonel Anson), who had gained the right by distinguished service both in peace and war, and had proved himself a gallant soldier and an able and accomplished officer; if, therefore, he should combat the views of the hon. and gallant Gentleman, he should do so with great diffidence, as the subject was one involving great technical complications. It was not his duty to follow the hon. and gallant Gentleman into the question of the abolition of purchase, for that question had already been fully debated, and had been unanimously determined. ["No, no!"] He said he had a right to assume that to be the case; because, although individual Members might have raised their voices against the proposals, not one had challenged a division on the second reading of the Bill, which was agreed to without a division. He would not enter into the history of purchase, for the House had only to deal with the question as it existed; and having decided on the abolition of purchase, the question was how to carry it out with equity both to the officers and to the State. He was glad to hear the hon. and gallant Gentleman admit that the officers had no legal rights in relation to their commissions, because a good deal of indignation had, both in that House and out of it, been heaped upon the present scheme, on account of its interference with certain alleged rights of property. Now, on several occasions, and under many circumstances, what had been called the rights of officers had been interfered with when the interests of the State required it; but the hon. and gallant Member for Bewdley had never raised his voice on behalf of the officers at the time the changes were made. This was the case when, in 1854, the professional rights of certain colonels were interfered with; it was the case in 1858, when what was called the Distinguished Service Warrant was issued; and it was the case again in 1862, when alterations were made in certain allowances made to officers serving at home and abroad. Although the officers of the Army had no legal right when the Government contemplated such a change as that proposed by the Bill, the Government was desirous of insuring that the interests of officers of the Army should not be unfairly interfered with; and it was the duty of the Government to conceive such a measure in a fair and generous spirit, and he believed he could show that this Bill was so conceived. The question which the House had now to deal with was simply this—not that of organization, but that of compensation. There were two propositions before the House—that of the Government, and that of the hon. and gallant Member for Bewdley; and he wished to explain the effect of these propositions, both on the officers of the Army and on the public. In carrying out the abolition of purchase it was necessary to consider what were the pecuniary interests of the officers. They were four. In the first place, there was the regulation price; and it did not matter, for the present purpose, whether the commission had been obtained from an officer or direct from the Government; nor did it matter whether the Reserve Fund had been well or ill-applied. The second point was the £100 and £50 for foreign and home service; the third matter for consideration was the over-regulation price which had been paid; and the fourth, the interest which might have been obtained in the over-regulation price in respect of commissions obtained for regulation price, or without any payment. In weighing the position of any officer of the Army with regard to this Bill, it was important to consider what his position would have been had it never been introduced. To obtain the regulation and over-regulation money, an officer would have had to retire absolutely from the Army, and he would not have received it one moment before retirement. If he desired to retain his connection with the Army so as to go again upon active service if occasion offered, he would obtain only the over-regulation price, and he could not obtain the regulation price without going on full pay again and leaving the service. That was the precise position of officers of the Army, provided things went smoothly; but contingencies occasionally arose to interfere with this course of things. If the officer next below that one desiring to sell out announced his intention of "sticking to the regulations," as the phrase went, the officer desiring to sell out would be obliged either to remain in the service against his will, to sell at the regulation price and lose the over-regulation money, or to exchange into another regiment, where his proposals would be more acceptable, and sell out for regulation and over-regulation money. The next contingency that might arise was that of war. In case of war, as was notorious, the over-regulation price was very much depreciated in value, if it did not become entirely worthless. The third contingency was that of climate; and here, also, the over-regulation price went down, for instance, on a regiment being ordered to the East or West Indies. These were the various contingencies under which officers might suffer. Now, what had the Government done with regard to these precarious interests? Why, the Government proposed to convert these precarious interests into a guaranteed interest, based on the good faith of Parliament and the country. The Government said to the officers of purchase corps—"Instead of leaving you in doubt as to what your commission may be worth, we tell you that in future you may sell, whether there be war or not, and no matter in what part of the world your regiment may be, at the full price, including over-regulation money, and you may sell at your own time and without the trouble of exchanging." The Government also promised under the Bill to secure everything a man could get under the Warrant granting £100 and £50 for foreign and home service; and more than that, to count an officer's time of service in this respect after the passing of the Bill. For instance, a lieutenant, having purchased his commission before the passing of the Bill, and having had 12 years' foreign service, on becoming a captain would get £1,200 for his commission, instead of £700. In the same way, a captain who had purchased his commission on the passing of this Bill, and had served only 12 years, would be entitled to only £1,200; but, if he put in six years more of foreign service, the Bill proposed to give him his full money, £1,800. It was also proposed that a Commission should be appointed to appraise the full value of every officer's commission and over-regulation, and pay that, irrespective of all contingencies. Under these circumstances, how could it be maintained that the Bill had been conceived in a spirit of gross injustice? He defied the hon. and gallant Member for Bewdley (Colonel Anson) to prove that it had been conceived in any other than a spirit of generosity to the Army; or, that the banking account of any officer would be affected by the Bill injuriously. The Bill would be most beneficial to officers of every rank in the Army, who might be placed in three categories: the lieutenant-colonel, who was at the head of the purchase officers; other officers, who could purchase their commissions; and those officers who could not purchase their commissions. To the lieutenant-colonel the Bill gave everything he could have obtained had no Bill been introduced; but it would be given to him exactly when he desired it, and without any rebate, on account of contingencies at present likely to affect his position unfavourably. To the next class the Bill said—"If you are professionally fit you shall succeed your superior officer at about the time you would otherwise have done, and you shall have promotion without paying for it." And to the non-purchase officer, the Bill said—"Whereas the vacancies by which you might have obtained promotion were few and far between, henceforth poverty shall be no barrier to you, provided you are professionally fit for the position open to you." The Bill, in fact, proposed that the country should do for non-purchase officers what a good and considerate guardian would wish to do for his ward. One hon. Member had stated that the Bill would be unprofitable to the Army; but if it had been announced some months ago, in bare words, that purchase was to be abolished, the first feeling would have been one of alarm, and the question with them then would have been—"What should we lose?" But now it would seem that the question had changed, and the hon. and gallant Member on their behalf would be disposed to say—"What can we make?" ["No!"] That was, in effect, what his arguments and his Amendment came to. They were told that that Bill was causing great discontent among the officers of the Army; but why was that? Because certain gentlemen—perhaps not actuated by such disinterested motives as the hon. and gallant Member—were agitating the Army. Some weeks ago the hon. and gallant Member for Bewdley asked the Secretary of State for War whether officers of the Army might communicate with Members of Parliament, and criticize the Bill on points affecting their pecuniary interests and future prospects in their profession; and the Secretary of State for War replied that he trusted the hon. and gallant Member would give no countenance to anything that would prejudice the good order and military discipline of the service; and that it was quite possible for any officer to communicate with a Member of that House on the subject of the Bill without incurring the reproach of being party to any such breach of discipline. Upon that the hon. and gallant Member for Bewdley sent a circular round to the officers of the Army generally, a copy of which he held in his hand. [Colonel Anson: Is it not marked private?] It is; and if the hon. and gallant Member objected, he would not read the circular. [Colonel Anson: I do not object.] The circular was as follows:—

> "Dudley House, Park Lane, March 3.
>
> "(Private.)
>
> "Sir,—There is considerable discussion going on just now as to whether the officers in the Army would, in the event of purchase being abolished, willingly accept the regulation value of their commissions, to be paid on the day appointed for purchase to cease, waiving all future rights to sell, and all claims to over-regulation money. Would you kindly inform me whether such a compromise would meet with your approval, or whether you would prefer the Government scheme, taking your chance of being able to sell and leave the service on some future day, receiving the present value of your commission, with any over-regulation price you may have paid?—I remain, yours faithfully, "A. Anson."
>
> "P.S.—I have the sanction of the Duke of Cambridge and Secretary of State for War for communicating with officers on this subject. It is most important that the feelings of officers should be ascertained. "A. A."

On that document he (Captain Vivian) had only one or two observations to make. He entirely acquitted the hon. and gallant Member of any such intention; but most persons on reading that circular would infer that its author was the authorized agent of the Secretary of State in sending it round. Moreover, the circular did not state the case of the Government quite fairly, because it said the officers were to take their chance of getting any over-regulation money they might have paid for their commissions; whereas the actual proposal of the Government was to pay to the officer the customary over-regulation price, whether he had paid it or not. The hon. and gallant Member further said the officers of the Army approved his scheme, and preferred it to that of the Government. Well, the hon. and gallant Member's proposal, in simple words, was this—Whereas the Government would pay the officers £2,000 at some future day, would they not rather prefer to take £1,000 now? He was not surprised at officers accepting such an offer, for they all knew the fascinations of ready money to many men, whether rich or poor, and even rich men sometimes felt that fascination most strongly. That was not the first time that crisp bank-notes had been flaunted in the face of officers of the Army. ["Oh, oh!"] He acquitted the hon. and gallant Member of any such intention; but the officers of the Army had been and were tempted by offers to forego prospective interests for the sake of immediate and present pecuniary advantages. When, however, Government were proposing their scheme that was not the way in which they could go to the officers of the Army; they could not go and try to barter with them for their pecuniary interests. The Government said that if the House and the country were prepared to accept such a great change as that, they must also be prepared to pay every farthing to which the officers were entitled; and could not deprive them of the large sums they had invested in their commissions. The hon. and gallant Member had especially referred to officers of the cavalry and the Guards as being affected by this proposal.

Colonel ANSON said, it might save the hon. and gallant Gentleman some trouble if he stated that he sent out his circular for his own information, and because he was anxious for a compromise. He had understood that Members of the Government held that if there was to be a compromise it must come from the officers.

Captain VIVIAN said, he did not know what the hon. and gallant Member had heard attributed to him, nor did he question his right to send the circular round; but he asserted that the circular did not fairly describe the scheme of the Government, and that many men would, no doubt, be willing to sacrifice a large future advantage to obtain a sum of ready money. The hon. and gallant Member knew that his own first proposal was not so popular, because he had changed his front.

Colonel ANSON said, he had never made a proposal. He had merely asked for the expression of opinion, without pledging himself in any form whatever.

Captain VIVIAN said, he was not alluding to the proposition of the hon. and gallant Member to the officers, but to his proposals to the House; the first of which had been a Motion clearly stating that the sums to be returned to the officers of the Army should be payment of the regulation price; but his second Motion was very different. In his Resolution the hon. and gallant Member said—

> "That in any scheme for the abolition of purchase in the Army the State as well as the Officers must forego the advantages hitherto derived from that system, and in order to give the State that unrestricted power over the Officers of the Army which it is desirable it should possess, and also in justice to the Officers of the Army themselves, the regulation value of their commissions shall be at once returned to them."

That did not say that the over-regulation price should not be returned to the officers at some future day, nor that the regulation price to be returnable was to be returned to officers on full-pay only. The effect of the Motion would be that they would pay every officer the regulation price of his commission at once; that they would pay each officer on his leaving the service the over-regulation price; and that they would pay to officers on half-pay the regulation price of their commissions that day. He was anxious to show the House what would be the effect of the proposition of the hon. and gallant Gentleman upon the officers and upon the country as compared with that of the Government proposal. By the latter proposal, whenever an officer desired to obtain the price of his commission, he could only do so by retiring, and thus creating a vacancy which would enable the officers beneath him to advance a step; whereas by that of the hon. and gallant Gentleman, the officer would not only get his money, but he would retain his commission, and thus the officers beneath him would not obtain their promotion. And how would the plan of the hon. and gallant Gentleman answer with regard to half-pay officers? Why, if it were adopted, hundreds of officers on half-pay would receive money to which they had not the slightest just claim, while the country would still be saddled with their half-pay. Take the hon. and gallant Gentleman's own case. It was unnecessary for him to say that the hon. and gallant Gentleman was, of course, too high-minded to have brought forward this Motion in his own personal interest, and that he merely referred to his case as an illustration of what might occur with regard to others, without, for a moment, intending to impute any selfish motive to the hon. and gallant Gentleman in drawing the attention of the House to this matter. The value of the hon. and gallant Gentleman's commission was £2,300, which he would at once obtain under the Government scheme if he chose to retire when upon full-pay; but under his own proposal the hon. and gallant Gentleman would not only get his £2,300, to which as being on half-pay he had no right, but the country would have to pay him his half-pay for life in addition. And, further, if the colonels who were upon half-pay were to receive the value of their commissions, why should not the generals over them be entitled to equal consideration: in fact, the hon. and gallant Admiral opposite (Sir John Hay) had given notice of his intention to ask the right hon. Gentleman the Secretary for War, why he was not going to recoup these generals as well as the other officers of the Army the value they had paid for their commissions in the course of their career. Then as to the cost of the respective schemes. The capitalized sum required under the Government scheme to buy up the interests of the officers, including the over-regulation prices, would be £7,214,646; whereas the sum which would be required under the scheme of the hon. and gallant Gentleman would be £12,074,384, being a difference in favour of the Government scheme of £4,859,738. [Major General Sir PERCY HERBERT: What is the basis of that calculation?] That calculation, of course, included the over-regulation as well as the regulation prices, and was based on the supposition that the Motion of the hon. and gallant Gentleman was to be carried out; for he (Captain Vivian) considered it was his duty to show what would be the effect of that Motion if adopted. The hon. and gallant Gentleman said that the scheme of the Government would only benefit those officers who wished to leave the service, and that it would entail hardship upon the working men in the Army. He admitted that those officers who retired from the service would receive exactly the same sum as they would if the Bill were not to be passed; but, on the other hand, the working men in the Army were to be encouraged by making their future promotion dependent upon zeal and ability, and by rendering their poverty no bar to their advancement. The hon. and gallant Gentleman had stated from his own personal knowledge that the Government scheme was unpopular among the officers in the Army; but that view of the case was not supported by the state of the commission market. Although the intentions of the Government on the subject were well known, being made in February, and publicly discussed within a fortnight afterwards, yet he found that the prices for commissions were not only not less, but that they were actually more than they were before the Bill was introduced; and he defied the hon. and gallant Gentleman to prove his statement dependent upon this fact. In one instance the commission of a lieutenant-colonel in a cavalry regiment had fetched the large sum of £15,500, and he knew of two cases where the lieutenant-colonelcies of two infantry regiments fetched £1,200 more than the ordinary over-regulation price. If officers believed that their pecuniary interests were about to be so injuriously affected by the Government measure as was supposed by the hon. and gallant Gentleman, it was strange that they should be willing to risk these large sums with their eyes open. He, therefore, asked the House of Commons to resist this Amendment of the hon. and gallant Gentleman: first, because if adopted it would operate unjustly upon the interests of a large number of officers in the service, and, secondly, because it would involve the application of a large sum of public money to purposes to which it ought not to be applied; and he asked them, on the other hand, to accept the proposal of the Government, because he believed that it would prove, as it was intended to be, a wise, an honest, and a generous scheme.

VISCOUNT ROYSTON said, he was unable to give his assent to the opinions which had been urged by the hon. and gallant Gentleman (Captain Vivian). In his opinion, the Motion of the hon. and gallant Member for Bewdley was simple and straightforward, for he had never understood that the hon. and gallant Member meant by his statement to imply that the over-regulation money was to be paid at the present moment. The Government scheme, according to the calculation of the hon. and gallant Gentleman the Financial Secretary, would involve the cost of £7,214,646 capitalized money; whereas the scheme of the hon. and gallant Member for Bewdley would cost £12,074,384, making the Government scheme apparently the cheaper one by about £4,800,000. He thought the figures thus given were calculated to mislead, rather than to enlighten; because the statement seemed to imply that the hon. and gallant Member was demanding the over-regulation money to be paid down at the present moment.

Captain VIVIAN: No; I said that the scheme of the hon. and gallant Gentleman would commit the House to pay the regulation money down, and to pay the over-regulation money when the officers left the service.

Viscount ROYSTON: The hon. and gallant Gentleman had anyhow argued that point on assumption, because there was not one word of it in the Resolution before the House. He (Viscount Royston) simply wished to clear away the illusion and mystification which the hon. and gallant Gentleman (Captain Vivian) had thrown around the Motion. The hon. and gallant Gentleman's (Colonel Anson's) scheme was simply this—if the Government took the whole *onus* arising from the abolition of purchase on themselves, they ought to be prepared to pay down the regulation claims at once, and then to start *de novo* for the future: that was but a fair and just arrangement under the circumstances. The hon. and gallant Member the Financial Secretary, on the second reading of this Bill, said that the system of purchase had invariably stood in the way of any improvement the Government might think it necessary to introduce into the Army. If that was the case, why not at once do away with that system, and pay off every claim of the officers of the Army? He (Viscount Royston) would go the length of saying that the whole sums invested by the officers of the Army should at once be paid by the Government; that he believed to be the feeling, not only to the country generally, but of the officers themselves. He considered that the taunts of the hon. and gallant Member the Financial Secretary were just as flimsy as the bank notes of which he spoke, and unworthy of any Minister of the Crown. Were officers to be taunted, because they simply wished to get their own money back which they had invested? That was a money question from beginning to end, and must be treated as such, and he could not, moreover, agree with the Government, that the abolition of the purchase system would have the effect of renovating and improving the ranks of the Army. The hon. and gallant Gentleman spoke of the proprietary rights of officers, to which he had the greatest objection. Well, by declining to pay the money down, the Government were practically leaving the officers in the possession of those proprietary rights to which they so much objected. He (Viscount Royston) endeavoured to procure the best information he could as to the money cost of the scheme of the hon. and gallant Member for Bewdley, and the calculation was, that they would get in 25 years, by the sinking fund, sufficient to pay off the whole amount by £600,000 a-year. A major in the Army who served 18 years —namely, nine years on foreign service and nine years at home, would receive, when he retired, his £900 for the foreign service and £450 for the home, making altogether £1,350. Now, under the old system, he would receive something like £3,000 or £4,000. Further, as to the non-purchase officers, he denied that this measure would prove a boon to them, for under the old system, those officers had always something to look forward to. He thought that the House had reason to complain of the scanty information given by the Bill itself, for they would have been in the dark as to its precise meaning, but for the many supplemental statements made from time to time by the Members of the Government. He did not know, until he had entered the House that day, that the Government had withdrawn their propositions in regard to the limitation of sales. He thought that withdrawal would be a source of great relief to the officers generally; and the Government, in his opinion, had raised a difficulty to themselves, in their proposition, for which there was no necessity. He had entered the Army with the intention of not making it a durable profession, and during his service he had witnessed one of the most extraordinary campaigns in India that had ever taken place; and though he had gained very little by the actual service he had undergone, yet the society of the distinguished officers into which he was thrown had been a great benefit to him. He thought that the advantage of the present system was, that it admitted into the Army gentlemen who had no wish to make it a permanent profession, and he thought the system of short service was a good one both for officers and men. Sir William Napier had expressed an opinion highly favourable to the purchase system, if it were not pushed too far; it had done much to make the British Army one of the best that ever entered the field, and the British officers superior to those of any other Army. In conclusion, the noble Lord expressed his belief that the Government were not likely to maintain the superiority of the British Army by breaking down a system which had been of so much benefit to the country.

MR. RYLANDS said, he could not support the Amendment of the hon. and gallant Member for Bewdley (Colonel Anson). Two distinct propositions were involved: the paying down at once for regulation prices; and at once or at some future time for over-regulation prices. He admitted that those who had purchased for over-regulation prices had not been guilty of an immoral act; but the fact that, by so doing, they had acted contrary to the law was a sufficient reason why the House of Commons should not condone that violation of the law. He was of opinion that they could not disturb the present system of purchase, without making some immediate arrangement with the officers of the Army which would satisfy them and promote the public interests. It would be, no doubt, a great boon to the officers of the Army to have the price of their commissions paid down, because it would give them a sum of money which in some after time they might not receive. By paying the regulation price at once, they more than compensated them for any loss from not being compensated for over-regulation price. They ought, however, to go into Committee on the Bill, and carefully consider it and the Amendments on the Paper; but, in voting for the measure of the Government, he had not much confidence as to the result. He expressed the opinion entertained by a great number of persons out-of-doors, when he stated there was no confidence that anything that might be done in connection with the Bill would be of a satisfactory character unless they struck at the head of our Army administration, and removed the supreme control from the present Commander-in-Chief. He voted against the Motion of his hon. and gallant Friend the Member for Bewdley, because he objected to their dealing with the question of compromise piecemeal. It should be known that, if the money was paid down for regulation prices, it must be on the distinct understanding that no money was to be paid for over-regulation prices. If that compromise was accepted, it would be only reasonable that the money required for regulation prices, to secure what was considered would be a great benefit for the country, should not be raised at once, but should be spread over a number of years by means of Terminable Annuities.

COLONEL NORTH said, the speech delivered that night by the hon. and gallant Gentleman the Financial Secretary of the War Department showed how necessary it was that the Government should have given to the House some idea what it was intended to be carried out by the Bill, considering that no one appeared to know what the details of the Bill were. His right hon. and gallant Friend the Surveyor General of Ordnance had spoken of professional officers—he supposed those who did not purchase, and who were more likely to remain in the Army than others; but the manner in which they had been hitherto treated by the Government did not give them any very great encouragement for the future. His right hon. and gallant Friend mentioned, amongst others, the case of Lieutenant Wright, of the 9th Regiment, who had been passed over, he believed, 11 times. Now, it so happened that Lieutenant Wright was one of those officers he did all he could to befriend; but he utterly failed, and he was bound to say that up to that moment, this officer had met with every possible discouragement; not only that, but some four years ago he brought before the House the case of five officers, and moved to the effect that no money consideration should interfere with their prospects; for those officers had the mortification of being purchased over several times. He was glad his hon. and gallant Friend the Member for Bewdley had called in question the term "highest bidder," so that the minds of some persons might be disabused of the idea that commissions in the Army were bought like a horse at Tattersall's. That expression was not in accordance with fact; for instead of selling to the highest bidder, an officer disposed of his commission to the first who was prepared to purchase it. He rejoiced, also, to find that the question of limitation had been completely set aside, and that an officer would be at liberty to do what he pleased, as he had hitherto been. As to the Motion before the House, he hoped the Government would meet the views of his hon. and gallant Friend, for it was only fair that the payment should be made at once, and that every officer should be on the same level one with another. Unless that were done great dissatisfaction would be the result. He wished to say a few words about the block of promotion in the scientific corps of the Army. There were 620 subalterns in the Royal Artillery; of these 15 were of 14 years' service, 18 of 13 years' service, 46 of 12 years' service, and 68 of 11 years' service; last year there were five subalterns out of the 620 promoted to companies in the Royal Artillery, and four this year. He had sat on a Committee, which had recommended certain things to be done for the officers of the Artillery and the Engineers, and the officers were perfectly satisfied with what the Committee recommended; but it had not been carried out, because it was said to be so expensive. Now, the Artillery and Engineers were supposed to be about one-eighth of the whole Army; and if the country could not afford to do common justice to the officers of the scientific corps, how was a block of that kind ever to be removed when the remaining seven-eighths of the Army was placed in a similar position? Then again, in corroboration of what he had stated, a Royal Commission, composed of all parties, had reported on the subject of over-purchase, to the effect that it had existed so long, and had been recognized by so many Governments, that to ignore it was utterly impossible. He should, therefore, support the Motion of his hon. and gallant Friend the Member for Bewdley.

Mr. M. CHAMBERS said, he took exception to the terms of the Motion, which, to his mind, were not explicit enough; and, in regard to over-regulation prices, he would say that there was a great moral question connected with their consideration. For many years whenever an officer sold his commission he and the purchaser had to sign a statement declaring, on their honour, that they did not receive nor give above the regulation price; yet it was notorious that commissions and even promotions were bought and sold even in violation of even the Army regulations, and it was difficult to understand how this practice could be reconciled with that strict sense of honour for which the military profession were remarkable. Now, if we wished to learn a lesson—a lesson of caution in altering our system of appointment and promotion—we might look to the French and to the Prussian Armies. The Prussian officers, it appeared, were not particularly distinguished for their good breeding towards foreigners, and he had heard that in the last dreadful campaign, the French officers were afraid of their soldiers, and the soldiers despised and disobeyed their officers, and that there was a fearful state of insubordination, such as had never hitherto been known. There was no similar instance to be met with amongst British troops, even in the Peninsular War, where they were exposed, more than once, to the greatest hardships and sufferings in retreats calculated to disorganize any but a well disciplined force. The Motion proposed that forthwith, as soon as the Legislature said that purchase should be abolished, the officers should receive the regulation price which they had paid for their commission or their promotion. Now, every officer who entered the Army with honourable expectations knew that he would be exposed to all the perils of war and disease belonging to a soldier's life, and that consequently his money might be suddenly sacrificed by his death in battle, or by his perishing from sickness; and the same thing occurred when he purchased his promotion. For instance when he purchased his lieutenant-colonelcy, he knew that he might be called into actual warfare, or ordered into a dangerous or unhealthy climate, and that this would give a chance of promotion to the juniors in rank. Supposing that every officer who had purchased had his money returned to him, what a magnificent speculation that would be? Every officer would be playing on velvet, and might say—"I have got my promotion by purchase; now give me my money back." But what would be the position of the non-purchase officers? The old officers, instead of retiring, would remain in the Army and thereby stop promotion, and so the bargain would be a good one for the purchasing officer—a very bad one for the State. But the real question was this—whether the officers who had purchased should be paid, not only the regulation price, but the extra sum given; but it was impossible to know at present the amount of this extra money; and he believed that when it had been ascertained, the sum would be far larger than had been anticipated. He hoped that hon. Members would not divide on this preliminary Motion, which did not pledge the House to give no more than the regulation price, for he thought it would be a pity to do so.

Mr. GOLDNEY said, the Bill declared that every officer who wished to remain should have paid to him as much as he could possibly get from the Government if the Bill had not passed. The 3rd section of the Bill said that where officers were permitted to retire they should be entitled to receive a sum equal to the price of their promotion as if this Bill had not passed. He did not consider that it would be just to repay to the officers the amount of their commissions, seeing that there were thousands of young men who would be anxious to hold the position; and seeing also that the officers would continue to receive all the benefit of the social and other advantages which a commission in the Army conferred. It was also clear to him, in regard to the purchase money, that the Government really had received nothing. In 1833, the Duke of Wellington, in a letter to the Royal Commission that sat on the subject, wrote that—

> "The great advantage of giving permission to sell was this—that, in the sale of their commissions younger and, perhaps, better qualified men were able to enter the service."

And, in a subsequent passage, the Duke of Wellington said that under the existing system an officer had but little hope of promotion, except by purchasing it. Those two passages were highly significant, and, to his mind, were a sufficient answer to meet all that the hon. and gallant Gentleman opposite (Colonel Anson) had said. He could not see that the Motion of the hon. and gallant Gentleman would be for the advantage either of the Army or of the officers; but thought that if the Government undertook to pay to officers on their retirement all that they could justly require in a monetary point of view, they would have done all that could be reasonably demanded of them.

Mr. O'REILLY said, that the speech of the hon. and gallant Gentleman who had brought on the Motion was, in effect, a complete answer to all the arguments that used to be brought forward when the propriety of abolishing purchase was submitted to the House. The hon. and gallant Gentleman had distributed among hon. Members of the House a statement of the "injury that would accrue to the officers of the Army" if the Government scheme was carried. It would, it was stated, deprive officers of the present independent regimental system of promotion; it would deprive them of the right of exchange—he had never heard it spoken of as a "right" before—and it would also interfere with their expectations. He objected to these "rights" claimed by advocates on the side of the officers in the course of the present debate, and denied that Parliament was bound in any way to guard against interfering with speculations upon which officers might have entered in regard to the disposition of their commissions. The kind of right claimed was aptly illustrated by one of the Amendments placed on the Paper, to provide for the payment of compensation to officers, if, previously to the 1st of January in the present year, they may have had money left them by will or under settlement to enable them to purchase their steps in promotion. His hon. and gallant Friend the Member for Bewdley carefully avoided saying anything in his Amendment about over-regulation prices; but his intention probably was that the over-regulation prices should remain payable at a subsequent period, either by the Government or by anybody who was willing to give them. The course of promotion was to remain substantially as it was before, and therefore it would be as well worth while, in the future as in the past, to pay the over-regulation price in order to get promotion. The course proposed by the Government was, in his judgment, not only just but generous. It was to repay to the officers all they had paid, at the same epoch at which they might realize it now; and whereas they were now subject to four contingencies leading to the total loss of their money, they would henceforth be left liable only to the danger of loss by death. It was unwise for officers to prolong the discussion; if this measure failed, they would be offered mere justice.

Colonel STUART KNOX said, the officers of the Army had higher motives than their own pecuniary interest in the view they took upon this matter, and opposed the Bill because they considered that it was against the interests of the service and of the country. It seemed from the statement of the Financial Secretary for War (Captain Vivian) that there was a document in the War Office showing that the value of commissions was £12,000,000, and that this was the sum Government really intended to hand over to the Army. He protested against this wanton expenditure altogether; but if the purchase system was to be abolished Parliament was bound to do justice to the British officer. The right hon. and gallant Gentleman (Sir Henry Storks), who was brought into Parliament to pass this measure, had previously shown himself an angel of destruction, having been originally employed to destroy the connection between the Ionian Islands and this country, he was then sent to Jamaica when it was thought necessary to destroy Governor Eyre; and now, after various encounters with the women of England, he had landed in the pocket-borough of Ripon, ready to destroy anything, even the profession to which he belonged. He believed that this Bill would be the means of destroying the regimental system of the Army.

Colonel WILMOT said, although he did not advocate the purchase system as a system, and was sensible of its defects, he was yet conscious that under it our Army had gone on from one series of triumphs to another, which had not been equalled by any other Army in the world, and he should be sorry to see the good fellowship which existed in our Army destroyed—a result which must follow from the abolition of purchase, if the regulation money was not paid down at once. As one of the oldest regimental officers in the House, he should like to know what would be the position of officers who had purchased, when they found themselves side by side with officers who had been appointed without purchase. He would have been disposed to support the abolition of purchase on three conditions—first, that every officer received what he was entitled to, and no such ill-feeling was left in his mind as would be left under the proposals of the Government; second, that they should be made aware of what would be not only the immediate, but the eventual cost of the system of retirement; and, third, if it had been indicated to them what was to take the place of purchase, and what was to be the system of amalgamation between the Line and their Reserve forces which rendered the abolition of purchase necessary. These conditions, however, were not fulfilled in the scheme of the Government; they had had nothing put before them to induce them to lay out that enormous sum of money; and, if a division took place, he should feel it his duty to go into the same Lobby with the hon. and gallant Member for Bewdley.

Mr. CARDWELL: Sir, it seems to me that it is now nearly time to bring this discussion to a close; I shall, therefore, limit my attention to the question immediately before the House, which relates to the amount of compensation officers may be entitled to. The hon. and gallant Member for Bewdley (Colonel Anson), in the course of his interesting speech, addressed a great many remarks to the House, which I agree with the hon. and gallant Member for Longford (Mr. O'Reilly) would have been very cogent in favour of the abolition of purchase if we had been discussing the purchase system; but it has happily been agreed to-night that we shall not go at large into the discussion of the purchase question, therefore I shall not follow my hon. and gallant Friend the Member for Bewdley into those parts of his speech that would have told on my side, in which he described many of the evils of the purchase system, and particularly dwelt on the abuses in the management of the Reserve Fund. The greater the abuses in the management of the Reserve Fund, the stronger the argument for terminating the system of which the Reserve Fund is only an adjunct and a supplementary part, and I think, therefore, the arguments of my hon. and gallant Friend on the system of purchase and the Reserve Fund, are arguments, not against, but in favour of this Bill, and have little to do with his Motion. Giving us the history of the system of purchase, my hon. and gallant Friend says that the Government, and not the officers of the Army, have been responsible for the introduction of that system; in saying that, I do not know whether he has taken the pains to read the evidence appended to the Report of the Royal Commission which sat last year; but if he has, he will have seen that from the very first the Government have struggled with all their might against the introduction of the system of purchase; and the whole history is given in the document that lies before me as to the mode in which that system was introduced. My hon. and gallant Friend says his next objection is, that a pecuniary loss will be entailed on the officers by the arrangements made in the Bill; now, if there is such a loss entailed on any officer in respect of his present rights, I shall, upon that being shown to me, admit that that is an imperfection in the Bill which ought to be redressed. I will proceed to state with brevity, my arguments against the Resolution before us. Now, what do we propose to do? Let it be understood, if there is injustice in any part of the purchase system, as I believe there is, it is no part of the duty of the Government to put their hand into the Consolidated Fund to remedy that injustice; our object is to remove that system, with all its defects and injustice, at once and for ever; and, because we desire to do that, we desire to give an ample and complete indemnity for every officer whom it may affect, but we do not wish to do more; therefore, all the arguments drawn from any injustice which may belong to the purchase system are not arguments against the Bill, but, on the contrary, in its favour. What course do we propose to take in regard to indemnifying officers? We abolish purchase at once and for ever. It has been stated in the course of the debate that if the Bill passes purchase will continue for 20 or 25 years; but that is an entire mistake, for purchase will be abolished from the day the Bill comes into operation. From that day every claim will be ascertained, and compensation for it provided, consequently all the evils attributed to the purchase system will come to an end, and the difficulties in the work of organization, which are introduced by having interests that you cannot value to deal with, will terminate also. In future, you will not have a single interest that is not valued, and for which compensation has not been provided. The hon. and gallant Member for Bewdley admits that the Bill is liberal and generous towards those officers who retire from the service, but says it is unjust towards those officers who remain. But, what is the argument on which all the alleged benefits of the purchase system are founded? Why, that it induces officers to retire. That is the one sheet-anchor in favour of the purchase system. Well, but if we are liberal and generous to those who retire, what part of our duty is it to find compensation, which the purchase system never found, for those officers who remain? At present there is no clear distinction between a purchase officer and a non-purchase officer. My hon. and gallant Friend said that very few working officers are either wholly purchase or wholly non-purchase officers; that the man who is a purchase officer to-day, is a non-purchase officer for, perhaps, his next commission tomorrow. But what becomes of the argument of my hon. and gallant Friend that when a man purchases his first commission he purchases the right to purchase all the rest, that it is part of one transaction, and he is deprived of his just rights if you cut him short at that period? My hon. and gallant Friend himself has shown that there is not that distinction between a purchase and a non-purchase officer, and that they all stand together. When purchase is abolished, what is the pecuniary injury inflicted on a purchase officer. For what did he give his purchase-money? Why, that he might obtain a priority of promotion—that he might supersede his seniors in the service, and gain a step which he could gain by no other means than by that expenditure of money. He has had his advantage. Are you going to give the officer what he has purchased, and also to return him the purchase money he has paid for it? We do not desire to improve the position of the officer—that is not our object, and we take no credit for such an intention; but in a great settlement of this kind some points naturally arise in which the balance of advantage inclines to one side or the other, and in all such cases we have made the balance turn in favour of the officer. And what has been the result of our determination upon the position of the officer? We have secured him the full value of his commission, including the over-regulation prices; although, as it stands now, that value might be reduced considerably in the event of a war being declared, of his regiment being sent to an unhealthy climate, or of the officer below him refusing to give him more than the regulation price, and instead of his having to look about for a purchaser we have provided him with the most certain of all purchasers in the form of the Consolidated Fund. Taking all these circumstances into consideration, how is it possible to say that we have inflicted any pecuniary loss upon the purchasing officer? Then, how is the non-purchasing officer affected by the measure. He will be entitled to claim the full value of all the service he has earned within the limits of his present commission. [Major General Sir PERCY HERBERT: Which clause of the Bill gives him the right?] I do not recollect exactly which clause contains the provision, but I think it is the 3rd. I am, however, glad to find by the question, that I am right in my supposition that the provisions of this Bill have not been thoroughly understood by those who oppose it on behalf of the officers. The non-purchase officer will be left with all the pecuniary rights which he has acquired by service, and for which he has not paid a shilling; he will have a fair start given to him in the way of promotion, pay, and rank, and he will be secured against supersession, which we have been told is the greatest grievance that can be inflicted upon him. So much for the respective positions of the purchase and the non-purchase officers under this Bill. The operation of the measure is not limited by the regulation price, but by the full over-regulation price, and the officer will receive the latter at the time and under the circumstances when he would have received it from an ordinary purchaser, if we had not introduced this Bill. But what does the hon. and gallant Gentleman propose by his scheme? He says, "Pay the regulation price down." The hon. and gallant Gentleman who last spoke (Colonel Wilmot) says, that it will be a great hardship for an officer who has paid for his commission to serve side by side with an officer who has obtained his commission without purchase. Under these circumstances, if they are correct, I can only wonder that the Army is not discontented now. But now I ask the hon. and gallant Member (Colonel Anson), if he has not kept us in the dark as to whether he intends by his proposal, that the over-regulation prices are to be paid as well as the regulation price? The hon. and gallant Member who seconded the Motion (Colonel Barttelot) did not disguise that such was the view he took of the hon. and gallant Gentleman's proposal. Some hon. Gentlemen have suggested the possibility of a compromise being effected; but we do not ask for a compromise. We do not know who, on the part of the Army, is able to speak the language of compromise; and we do not know who would undertake that what would be agreeable to one portion of the Army, say the infantry, would be agreeable to another portion of the Army, say the cavalry. We have nothing to do with compromise in any way; our business is to do justice, and justice we are determined to do; and by the proof that we are doing justice we desire to stand. If the proposal of the hon. and gallant Gentleman goes to the extent that the over-regulation price is to be paid as well as the regulation price, then, as has been shown earlier in the evening, he is asking for nothing less than a grant of £5,000,000 from the Consolidated Fund. Thus, besides receiving everything that he has paid for, the officer is to get all his money back again, and is to receive £5,000,000 out of the pocket of the British taxpayer. Then, whereas, by the scheme of the Government, we shall insure rapid and continuous promotion, if we take the plan of the hon. and gallant Gentleman, we shall stop promotion, because those officers who have received their purchase money back will not be in a hurry to leave the service to make room for others. Then, look at the position of the half-pay officer, who in some cases would have a present made him out of the pocket of the taxpayer of £4,500. [Colonel ANSON dissented.] All I can say is, that is the proposal contained in the Motion. But if the hon. and gallant Gentleman does not intend that the over-regulation prices are to be paid at all, what becomes of the Commission of the right hon. Gentleman the Member for Morpeth, and what will those officers in the cavalry and in the Guards say, to whom the over-regulation money is of such great importance, and to whom this so-called compromise will be nothing more nor less than an absolute injustice? And, if this plan should be adopted, what rule of promotion is it proposed that we should adopt? Are we to adopt the system of selection as the rule of promotion, or are we to be thrown back upon the bare and naked system of seniority? I believe it is the intention of the House, as has been shown by its decision, that selection is to be the general rule, and that merit is to be the passport to advancement. The Royal Commission said that if you make seniority the rule, it would produce disastrous results, and that you must rely upon selection as the rule; I believe that to be the intention of the House; and, if that be done, how can it be harmonized with a system of over-regulation prices? If the Government are to select officers, over-regulation price will of itself die out, and the day after selection becomes the rule over-regulation prices are gone. Have you done justice to those officers to whom over-regulation is the principal portion of what they expect to receive? Look to the history of what has passed about over-regulation prices. I hear arguments used glibly in this House as if there was no evil in the system of over-regulation prices. Hon. Members frequently speak as if they imagined that the reglation price was something paid to the Government, and over-regulation price a sum of money paid to the retiring officer. The regulation price is not paid to the Government, although it is paid under regulations laid down by the Government. [Major General Sir PERCY HERBERT: To the Government agent.] We are speaking now not of a matter of fact, but of a matter of opinion; and my opinion is not that of the hon. and gallant Officer. My opinion is that the Government, so far as it interferes at all, interferes in a supplementary and subordinate part of the purchase system, and that the regulation money is paid to the retiring officer. The great efforts of Governments from the time of Queen Anne down to the present, has been to check the evils which the system of over-regulation has introduced. I am only repeating what has been said by the highest authority, when I say that if you abolish regulation and leave over-regulation you will have paid your £8,000,000, and you will not have attained your end; you will have incurred the burden, and the system you desire to extinguish will remain in full force. If you permit the thing to be sold at all, it will fetch its value in the market; if it is worth regulation and over-regulation now, when you have compensated for regulation and left over-regulation, the price of over-regulation will rise to the amount that regulation and over-regulation were before. You will have sacrificed your money and you will not have accomplished your object. I submit, then, my hon. and gallant Friend has entirely failed to make out the grounds for his Motion. The scheme which we invite the House to adopt is complete in equity; it throws the balance in favour of the officer wherever it is necessary to throw the balance on either side; it accomplishes, immediately, the abolition of the purchase system; it puts a present and fixed value upon the pecuniary right, and provides a compensation which he will receive at the time and under the circumstances when he would have received it if this Bill had not passed.

MAJOR GENERAL SIR PERCY HERBERT said, he admired the courage of the right hon. Gentleman the Secretary of State for War in using an expression about the House being left in the dark by the hon. and gallant Officer who moved the Resolution, for the Government never left the House more completely and intentionally in the dark on any question that it submitted to Parliament, seeing they had no information as to what the scheme of the Government would cost, or what the nature of it might be. Non-regulation prices were paid by one officer to another as private transactions; but regulation money was paid under orders; there was an official letter to say where an officer must lodge the money, and a Government agent was required to say he had lodged it; and, in a large number of cases, the officer succeeded did not receive the money. The Prime Minister, the other night, said the Government received the money only in exceptional cases, and that it would be idle to detain the House by speaking of these minute exceptions; but a Return distributed to-day showed that since 1841, these minute exceptions made up a total of £1,712,829, which had been paid to and spent by the Government, principally in diminution of the Army Estimates. He denied the assumption that officers would receive under the Bill as much as they would receive if it had never passed at all, for the Bill stereotyped things as they were, and prevented officers rising into positions in which they would be entitled to more, for the 3rd clause said that an officer who, but for this Act would have been permitted to retire by the sale of his commission, should be entitled to receive not the value of his commission, but a sum equal to the estimated price at which the commission held by him would have been saleable if the Bill had not passed. The change made by the Bill in the terms of service would be a great injustice to the officers of the Army, and to illustrate that injustice, he might mention the case of a lieutenant-colonel who, after having served for a period of 20 years, would be entitled to receive the sum of £4,500 for the several commissions he had purchased; but under this Bill he would only get £2,000. If a firm of merchants who had encouraged clerks to enter their service, and to pay money for promotion, on the understanding that they were to have a retiring allowance equal to half their salaries after 25 years' service, should deem it proper to change that system for their own benefit, they would be regarded as the meanest people in the world if they did not return the money which had been paid. His hon. Friend the Member for Chippenham (Mr. Goldney), to his astonishment, quoted the Duke of Wellington in support of the Bill; but if the hon. Gentleman had read a little further on, he would have found that the Duke of Wellington said, it was obvious that in calculating the remuneration to which any officer was entitled, the interest of the sum he had paid ought to be taken into account, and that, in point of fact, promotion by purchase was a saving of expense to the public, and highly beneficial to the service, as younger and more qualified men entered the Army, and relieved the State from the necessity of making provision for officers who were worn out by prolonged service. How, he would ask, was the promotion proposed by the Bill to be carried on? Not one word had been said about that. No one who took a dispassionate view of the case could fail to perceive that a material change would be introduced into the terms of service. The right hon. and gallant Gentleman opposite (Sir Henry Storks) put forward a preposterous claim the other day, when he said that he could have obtained his full purchase-money and still have retained his rank. His words were—

> "When I was a lieutenant, I purchased over four lieutenants and became a captain; when I was a captain, I purchased over four captains and became a major. Now, according to the theory laid down in the course of this discussion, I ought, under these circumstances, to get all my purchase-money back and still retain my commission, pay, allowances, prestige, and everything."—[3 *Hansard*, cciv. 1738.]

SIR HENRY STORKS, interposing, explained that that was when he held the grade of major, and not when he became a general officer.

MAJOR GENERAL SIR PERCY HERBERT thought the right hon. and gallant Gentleman had introduced no such stipulation in his argument.

SIR HENRY STORKS said, his argument applied only to the position he occupied when he purchased over the heads of four captains and became a major. He asked what those four captains would have thought, if he had been repaid his money and been allowed still to retain his rank of major?

MAJOR GENERAL SIR PERCY HERBERT, while accepting the right hon. and gallant Gentleman's explanation, said he thought the words used by him conveyed a different impression. With respect to the general question of retirement he thought this was a most unjust and ungenerous Bill, and the details of the scheme, he believed, had been kept dark by the Government, because they thought the House might be frightened by them. He thought he had proved that certain Members of the Government displayed some little want of knowledge, when they argued that the Government did not receive the regulation money, for the purpose of diminishing their liability to meet claims for half-pay from which they could not have escaped otherwise. He asked the House, in conclusion, to hesitate before refusing to consider the just claims of 6,000 officers who had certainly not received any very great reward for their military services, who had always done their duty gallantly, and had never been niggardly of their blood whenever their country's service had called upon them to expend it. Under these circumstances, considering the technical character of the subject, and that the defence of the officers was thrown on hon. Members less practised in debate than those who sat on the Government bench, he trusted to the generous feeling of the House to hesitate before they did so great an injustice to the officers as to ask them not to pass the Resolution.

Colonel WHITE said, he trusted that all who took an interest in this question would agree with him, that it was a matter of intense gratification that such a Motion had been brought forward by the hon. and gallant Member, whose extraordinary energy, whose devotion to the subject which he had undertaken to study, and whose thorough knowledge of details must make any opinion coming from him worthy of the attention and respect of the House ; but, at the same time, he thought it would have been better, if he had so worded his Motion, that he need not have laid himself open to the suspicion which had been expressed frequently outside the House as well as within its walls—that he would have thrown over, so to speak, over-regulation money, because he, for one, and those who stood on the same platform, insisted that over-regulation money must be considered as a *sine qua non* in the same ratio as regulation. The platform on which he stood was regulation money down, and over-regulation upon retirement. He did not ask this as a boon ; he did not ask it as an act of generosity on the part of the Government, but he claimed it as an act of bare justice to the English Army. He had endeavoured to turn over the facts and arguments in his mind, and the conclusion to which he had been irresistibly drawn was, that by no other means could they hope to act with justice unless they recognized the terms of the Motion then before the House; in no other way could they avoid the conclusion of a flagrant breach of contract ; in no other way could they, with any shadow of fairness, venture to ignore the claims of seniority, and to substitute a system of indiscriminate selection and rejection. Nay, more, he asserted that if in anyone instance of applying that system of rejection to any individual officer who entered the Army under the purchase system, unless they previously annulled the whole of the contract which they made with him, they could not, without breach of faith so flagrant as almost to deserve the term dishonourable, deal with him according to this principle of selection and rejection. He had spoken of contract, and he said there was a direct compact between the officers of the Army and the State. When he entered the Army, under the purchase system, he entered into a direct bargain with the State; on the one hand, he agreed to give a ready and obedient service at all times and under all circumstances, and he paid a sum of money down which was required of him by the State, and without which he would not have obtained his commission; and, on the other hand, the State undertook, if he did not forfeit his position by any disgraceful act or gross incompetency, that when he came by seniority and service to be the first on the list for promotion, he should receive that promotion. That bargain still remained, and he could not alter its terms; but if it were for the good of the country that the Government chose to alter part of that bargain, he was justified by every principle of equity to demand that they should annul the whole and start on a new footing. When a bargain was made between two private individuals, and one of them chose to repudiate one-half of the bargain—that half which most affected himself—he was called, and with some shadow of truth, dishonest and dishonourable. He had yet to learn, why it was that the State should not be under the same terms which affected private individuals. It would be grossly unjust to apply a system of selection and rejection to an officer who came into the Army under the purchase system, unless they previously annulled the contract between him and the State; in saying that, he must affirm it, was the argument of one of those who sat on the Ministerial bench, for his hon. and gallant Friend the Member for Truro (Captain Vivian), for instance, on the 9th of March, said it was proposed that officers of the Militia should, under certain conditions, get commissions in the Line; and he would like to know how it would be possible to take officers under the non-purchase system and place them side by side with officers each of whom had paid £450 for his commission? That was precisely what he said. Then, the right hon. Gentleman at the head of the Government made a speech, which had been already quoted to-night, asking how it was possible, when the offices were their own property, that they should be subject to that unrestricted handling, with regard to which it was necessary for the Government to have unrestricted power? He trusted that Ministers, for the sake of common consistency, would be persuaded to re-consider this point, and not have to eat their own words. But there were arguments which had not been touched upon. Take, for instance, the case of two officers who had arrived at the grade of captain in the Army—a non-purchase captain and a purchase captain. In a money point of view how did they stand? The non-purchase captain received a pay of £240 per annum; the purchase captain received nominally £240; but having paid £2,000 to arrive at that rank, he, in fact, received £240 minus £80, the interest at 4 per cent on the outlay. While the non-purchase captain received £240, the purchase captain received £160. Again, there was the difficulty that when the "purchase" captain died, his widow would lose the value of the commission; the widow of the "non-purchase" captain nothing. Was it so very unusual a request, that the Government should pay down on the nail a portion of the sum that would have to be paid? Was England, in 1871, so much poorer than she was in 1833, when she voted £20,000,000 to abolish the slave trade? All that the Government was asked to do now was to put down a quarter of that sum, to compensate a body of public servants who had certainly some claims on the lenient consideration of the House. He had supported the Government all through the divisions on the Budget, partly from his natural desire to vote with his Friends, and partly, because he was resolved that, as far as he was concerned, the Government, when they came to deal with this question, should not be able to plead poverty; but if this Motion of his hon. and gallant Friend were agreed to, he would consent to acknowledge that purchase was to be abolished; but if it were not agreed to, he would join with that party—and it was neither few nor weak—which was resolved to oppose the Bill clause by clause, step by step, and by every means which the forms of the House placed in their power.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 250; Noes 187: Majority 63.

Original Question again proposed.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Major Arbuthnot.*)

Colonel White

Mr. CARDWELL said, the hon. and gallant Gentleman, not having been long a Member of the House, was, perhaps, not aware that when an Amendment like the one just disposed of had been rejected, it was usual for the Speaker to leave the Chair at once, and for the House to go into Committee.

Question put.

The House *divided*:—Ayes 178; Noes 243: Majority 65.

Original Question again proposed.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Jervis.*)

Mr. GLADSTONE said, he could not agree to the Motion. The Bill had been most amply discussed, five nights having been spent upon it—a debate almost unexampled upon a subject not political; the second reading had been taken without a division; and, in fact, nothing now remained to be said about it. Nothing could be more flat and unprofitable than to attempt to keep up a discussion when the subject had been so thoroughly exhausted.

Sir JOHN PAKINGTON said, if no division was taken on the second reading, it was owing to peculiar circumstances. The right hon. Gentleman must be aware that a large party in the House felt the greatest possible objection to the Bill. To-night the debate had been entirely confined to the discussion of the Motion of his hon. and gallant Friend the Member for Bewdley, with reference only to the pecuniary interests of officers, and there were many Members who still desired to have a fair discussion of the general principles of the Bill.

Mr. CARDWELL said, the second reading had been discussed for five nights, and nobody could say that those who were opposed to the Bill had not had ample opportunity for expressing their opinions. The reason why there was no division on the second reading was best known to the right hon. Gentleman opposite; but it was probably owing to the excellent adviced received from the Leader of his party. He trusted they might be allowed to proceed with the real business before them.

Colonel SYKES said, he would suggest that opponents of the Bill could attain their object by resisting it clause by clause in Committee.

Question put.

The House *divided:*—Ayes 127; Noes 223: Majority 96.

Original Question again proposed.

COLONEL STUART KNOX, *amid cries of* "Oh, oh!" and considerable excitement, moved the adjournment of the debate.

LORD GARLIES seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Colonel Stuart Knox.*)

Question put.

The House *divided:*—Ayes 105; Noes 207: Majority 102.

Original Question again proposed.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Corbett.*)

Question put.

The House *divided:*—Ayes 99; Noes 189: Majority 90.

Original Question again proposed.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir William Bagge.*)

Question put.

The House *divided:*—Ayes 98; Noes 178: Majority 80.

MR. GLADSTONE said, he was always ready, individually, to go through with a contest of this kind; but in consideration for others who were concerned in the divisions—as the Speaker and the officers of the House—he would agree to a Motion for the adjournment of the debate.

Original Question again proposed.

Whereupon Motion made, and Question, "That this House do now adjourn,"—(*Sir William Verner,*)—put, and *negatived.*

Original Question again proposed.

Debate arising.

Debate *adjourned* till *Thursday*.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That towards raising the Supply granted to Her Majesty, the Duties of Customs now charged on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and seventy-one, until the first day of August, one thousand eight hundred and seventy-two, on importation into Great Britain or Ireland (that is to say):

		s.	d.
Tea . . .	the lb.	0	6

Resolution to be reported *To-morrow;*

Committee to sit again upon *Wednesday.*

TRAMWAYS PROVISIONAL ORDERS CONFIRMATION BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade under "The Tramways Act, 1870," for the construction of Tramways in the City of London, in the Metropolis and certain parts of the county of Middlesex without the Metropolis, and in Cardiff, Leeds, Yarmouth, and Wallasey.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. ARTHUR PEEL and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read the first time. [Bill 130.]

POLICE COURTS (METROPOLIS) BILL.

On Motion of Mr. BAXTER, Bill to transfer to the Commissioners of Her Majesty's Works and Public Buildings the property in and control over the buildings and property of the Police Courts of the Metropolis; and for other purposes relating thereto, *ordered* to be brought in by Mr. BAXTER and Mr. WILLIAM HENRY GLADSTONE.

Bill *presented,* and read the first time. [Bill 131.]

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, 9th May, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—Leeward Islands * (105).

Second Reading—Workshop Regulation Act, 1867, Amendment * (63).

Committee—Presbyterian Church (Ireland)* (87); Primitive Wesleyan Methodist Society of Ireland Regulation * (88).

ECCLESIASTICAL PATRONAGE (SCOTLAND).—QUESTION.

THE EARL OF ROSEBERY asked, Whether it is the intention of Her Majesty's Government to introduce during the present Session a measure dealing with the law of Ecclesiastical Patronage in Scotland? After referring to the numerous Petitions on the subject that had been presented that evening, the noble Earl said he thought it was hardly necessary to go at length into this question of patronage in Scotland. Patronage had been twice abolished in Scotland, and again by a solemn declaration in the Act of Union, although that declaration was afterwards revoked by a Jacobite job. The Church of Scotland had suffered materially in consequence. There had been several secessions; and even within the present century one-fourth of the people of Scotland and one-third of the ministers had seceded from the Established Church on this very point. The Church of Scotland considered lay patronage to be a great grievance, because it was alien to the very spirit of her existence: and it was a great grievance at the present moment, because many patrons were not members of the Established Church. Although the pressure of business might prevent the Government from dealing with the subject this Session, yet he was encouraged to hope that on some future occasion—perhaps next Session — the Government would be able to take it up. The Crown had set a good example in this respect. It was the patron of 319 livings, and he had reason to believe that in all those cases the selection of the ministers was in the hands of the heritors and the communicants. One of the Petitions which had been presented that evening came from Queensferry, and that place would afford to their Lordships a good example of the evils inflicted on the Church of Scotland by the present law of patronage. The patrons of Queensferry were the town council, nine in number, of whom seven were Dissenters. A vacancy taking place last year, the communicants presented two Petitions, praying that they might be allowed to appoint their own minister. The town councillors, however, refused to allow the petitioners a voice in the matter, but presented a Mr. Thomson—a gentleman who contested the Kilmarnock Burghs at the last General Election. He knew nothing else of Mr. Thomson, except that he was at present drawing large audiences to his lectures in the principal towns in Scotland; and that he described himself as a person endowed with remarkable wit, eloquence, and pathos. He did not say that there was sufficient cause for objection against Mr. Thomson; but he believed that had St. Chrysostom been appointed in this manner he would have had an equally unfavourable reception, and this appointment had created great ill-feeling. This matter might be thought an unimportant one, because Queensferry was not a large town, but the question affected the general body of the Scotch nation, and the case exemplified the evils of the law of patronage and of its arbitrary exercise.

THE MARQUESS OF HUNTLY said, he believed the Queensferry case would be settled next week, and that Mr. Thomson would probably leave Queensferry for ever. The question of lay patronage in Scotland lay deeper than might be supposed from the speech of the noble Earl—it was a social question originating in the fact that nearly the whole of the nobility and landed gentry of Scotland had "seceded from" the Church which the majority of the people maintained. There were very few of the landed proprietors who were members of the Presbyterian Church—he (the Marquess of Huntly) was not himself —and the people of Scotland did not like the idea of their ministers being appointed by persons who did not hold the same faith as themselves; and this was natural enough. The question could not be considered in the light of a party question. It was well put by Mr. Gordon, the Member for Aberdeen and Glasgow Universities, in a speech made by him in the General Assembly in 1870. The right hon. and learned Gentleman said—

> "I support abolition of patronage because I consider that it is expedient in the interests of the Church and the religion of Scotland that it should be abolished, and that the appointment of ministers should be vested substantially in the people belonging to the several Churches."

Instead of that being the case, at present the patrons, if they did not exercise the right themselves, entrusted it to their factors—a great Scotch bugbear. The passing of the Benefices Act of 1843 did not introduce a very improved state of things. It had produced nothing but disputes and litigation; and it was the opinion of an eminent minister of the Church of Scotland, who wished for the abolition of patronage, that a return to Queen Anne's Act, and patronage pure and simple, would be an improvement on the present state of the law. There was another grievance. By Queen Anne's Act, Roman Catholics were excluded from presenting ministers to livings in the Church of Scotland. But Lord Aberdeen's Benefices Act had repealed that proviso—and now Roman Catholic patrons could present to livings in Scotland, while they could not do so in England. Why should the Presbyterians of Scotland be compelled to receive into their churches ministers selected by Roman Catholics? Two years ago, a numerous and influential deputation waited on the Prime Minister and presented to him a numerously signed petition from the General Assembly of the Church of Scotland, in favour of the abolition of lay patronage. The Prime Minister said to them—

> "Supposing I abolish patronage, what shall I do with the Free Churchmen? By the arrangement of 1842, they are entitled to some consideration. If patronage be abolished, I cannot see how we can refuse to divide the value of the patronage with the Free Church. I should like to know your opinion on this point."

The deputation was staggered—they had no immediate reply to give. But the Prime Minister seemed to have laboured under some misconception with regard to the causes which led to the secession of the Free Churchmen in 1843. They left the Established Church simply because of their love for independence, and their repugnance to having their religious affairs subject to the powers of civil laws. A good deal had been said from time to time about voluntaryism. Now, that leader of the Free Churchmen, Dr. Chalmers, was satisfied that voluntaryism in religion was not a thing that should be encouraged by the friends of the Church. If voluntaryism were allowed to grow unchecked, it was feared that heathenism would extend itself, and that Christianity would be seriously impaired. All the people of Scotland wanted was to get the power of nominating and electing their own clergy, and he could not understand on what grounds of justice or policy the power was withheld from them. He thought there was a general feeling that the affairs of Scotland did not receive from the Imperial Parliament the attention their importance deserved. There were very few Members of their Lordships' House who knew much of Scotland, and its wants, and the complaint held good with regard to the Members of the other House. The consequence was that many questions of great importance to Scotland were allowed to be passed over. He earnestly hoped that an intimation would be given that the Government would introduce a Bill for the abolition of patronage.

THE DUKE OF RICHMOND said, he would not now go into the question of the abolition of patronage in Scotland, because no doubt an opportunity of discussing the matter would be afforded. He must, however, protest against the statement of the noble Marquess (the Marquess of Huntly), that it was the practice for Scotch proprietors to hand over all the patronage to their factors, and for the latter to appoint to the Church any gentleman they thought fit. There might be one or two instances in which that had been done; but he ventured to state, without fear of contradiction, that such was not the practice of the proprietors of Scotland taken as a body. As to the complaint of the noble Marquess as to Imperial legislation, he (the Duke of Richmond) did not think the interests of Scotland were neglected in Parliament; and in this House there would soon be brought forward that measure of education which the Scotch were regarding so anxiously. He could answer for himself, and those who sat on that side of the House, that they would not shrink from taking their part in that debate, and expressing their views upon the measure which would then be brought forward.

THE DUKE OF ARGYLL said, he was afraid he must answer the Question of the noble Lord behind him at once in the negative, for reasons which, he thought, he would find fully explained if he read *The Times* of that morning. The Government had already performed, at an earlier period of the Session than usual, that operation which was called "the Massacre of the Innocents," including in that doom, however, some measures which many noble Lords might think not innocent. With regard to the question of lay patronage in Scotland, his two noble Friends were perfectly aware of his own individual opinion. About this time last year he thought it his duty to intimate that opinion to the General Assembly of the Church of Scotland. He informed the General Assembly that though he was one of the largest holders of patronage in Scotland, he was willing to act in the sense of the resolution to which they had come. He trusted that when this question did come before their Lordships, they would remember that patronage stood in a very different position in Scotland from that which it occupied in England. In Scotland, ever since the Reformation, there had been no absolute patronage. During the whole of this period, by the law of the Church, and during a great portion of it by the law of the State, the communicants and parishioners had an almost coequal right with the patron in the appointment of the ministers. At all times they had been largely consulted, and at no time had it been possible, without serious danger to the interests of the Church, for the patron to exercise an arbitrary choice, as he could have done in England. It was perfectly true that at the Union, when a solemn engagement was entered into by Parliament to undertake that nothing should be done to affect injuriously the interests of the Established Church, lay patronage did not exist, ministers were appointed by the heritors—that was, by the proprietors of the land—and by the parishioners jointly. And that was one of the conditions of the Church Established which the Act of Union was intended most sacredly to defend. It was also perfectly true that the subsequent Act of Queen Anne, passed in 1712, was introduced against the protest of the whole Established Church of Scotland, and against the wishes of all who were interested in the maintenance of that Establishment. He believed there was a deliberate intention on the part of those who introduced it to injure that Establishment, and bring about a change in the Established Church. These were historical facts, and he believed his noble Friend had stated them with perfect fairness. As to existing facts, he did not believe that patronage was arbitrarily exercised. He agreed with the noble Duke (the Duke of Richmond) that patrons in Scotland did not generally leave the appointment of ministers to their factors, but considered it as a sacred trust for the benefit of the people. He was bound, however, to say, as a matter of historical fact, that lay patronage had been the one and sole cause of all the subsequent disruptions and secessions in the Established Church of Scotland. It was the cause of the disruptions of last century, and of that later and most melancholy disruption which he regarded as a reproach to Parliament and to the great Government of Sir Robert Peel. It affected the Church of Scotland very injuriously; but until a very late period there had been no clearly expressed opinion with regard to it on the part of the authorities of the Established Church who remained therein after the secession. He was bound to say now, in consequence of the votes which had been taken in two successive meetings of the General Assembly, and the very powerful expression of opinion which had been brought before their Lordships in the numerous Petitions that he had presented during the present Session of Parliament, that he was now thoroughly convinced that it would be necessary to deal with that question whether it was taken up by the Government or not. It was perfectly impossible for the Government to undertake it in the present Session of Parliament. His own opinion was that, although legal patronage in Scotland could never be abolished without some compensation being given to those who held it, it was in that country considered a sacred trust for the benefit of the people and of the Church; and whenever it was proved, as he thought it was, that it was acting injuriously upon the interests of the Church, then he thought it ought to be abandoned; and, for himself, he would be ashamed to accept one single farthing in compensation.

CATHEDRAL ESTABLISHMENTS.

MOTION FOR PAPERS.

THE ARCHBISHOP OF YORK, in moving for Copies of Suggestions, drawn up by the Cathedral Bodies, for the improvement of the Cathedral Bodies, said, that he had to explain that two years ago the question of improving the usefulness of these bodies was discussed in the Convocation of the Northern Province; and he believed it was considered in the Southern Province also. As the result the Archbishop of Canterbury and himself called a private meeting of the representatives of the Chapters to discuss the subject. He need not say that the opinions offered were diverse; and as it appeared to be impossible to arrive at any resolution equally applicable to all Cathedrals, the Chapters were invited to offer suggestions in writing, and these papers were now in his possession. The local circumstances, endowments, &c., of the various bodies were so different that any attempt to deal with them by one measure would certainly fail. There was one point of agreement, however — that Cathedrals might be made much more useful than they are. Chapters were originally intended to assist and advise the Bishop,—a state of things which he should like to see in some measure restored; but they subsequently obtained privileges which had resulted in their being isolated from diocesan work—so that they were hard put to it to find any sphere of action. In theory the canons were always resident, and constantly met to consult on ecclesiastical matters; but they were not resident, and never met in consultation on ecclesiastical matters, and if they were to do so they had no power to put their conclusions in force. Adverting to the greater labour thrown on the Church by the Education Act, the most rev. Prelate suggested that members of Cathedral chapters might usefully undertake the inspection of diocesan schools, and that the desired increase of the Episcopate might, as regarded both the men and the money, be carried out by their aid. The Papers for which he moved contained suggestions on these and other points, and would, he believed, assist in maturing public opinion on the subject.

Moved, That there be laid before the House, Copies of Suggestions drawn by Cathedral Bodies for the improvement of Cathedral Establishments.—(*The Lord Archbishop of York.*)

THE BISHOP OF GLOUCESTER AND BRISTOL supported the Motion for the production of the Papers, as he hoped it would lead to some legislative action. He remarked that Cathedral improvements must be judiciously adapted to various local circumstances, as the same measure would not be applicable to Bristol and to one of the smaller cities. He agreed with the most rev. Prelate that the Cathedrals did not stand in sufficiently close relationship to the dioceses. He bore testimony to the sense of responsibility at present displayed by capitular bodies, and to their attempts by special services and otherwise to extend their usefulness, but urged the necessity of making these ancient and wealthy institutions more available for the general needs, not only of the city, but of the diocese. They were doing much, but they were hampered with obsolete statutes, and by their very constitution were unable to meet the requirements of modern times. Referring to the advantage secured by modern legislation, from the rule that the Dean must be resident eight months in the year, he suggested that the canons should be required by law to reside nine months, instead of three as at present, and give their time and interests both to the Mother Church and the diocese. He pointed out that one canon might superintend church building and other diocesan societies, another clerical charities; a third education, and a fourth the missionary agencies. Alluding to the suggestions of a Committee of the Convocation of Canterbury that Chapters should have power to revise their statutes, subject to the approval of the Privy Council, he expressed a doubt whether they were united or strong enough to reform themselves, and strongly suggested the appointment of a Royal Commission to confer with the Chapters, and to assist them in revising their statutes. In fact, he trusted that the Government would see their way to issuing an Executive Commission similar to that of the second University Commission, to enable Chapters to make the changes which now are needed. The results and recommendations of the Commission would then be submitted to Parliament and embodied in legislation.

THE EARL OF POWIS was understood to remark that it was for the Bishops themselves, with the exception of those dioceses where the patronage was vested in the Crown, to require that canons should not hold parochial preferments also.

THE BISHOP OF ELY entirely agreed with what had been said by his most rev. and right rev. Friends with respect to the energetic work which might be done by Cathedral establishments. He thought it extremely desirable that Cathedrals should be much more intimately connected with the diocesan work than they had been. In future legislation regarding Cathedrals and appointments to them he hoped this would be kept clearly in mind. They ought to be the great models of religious service.

Motion *agreed to.*

H.M. SHIP "CAPTAIN"—CASE OF MRS. BURGOYNE.

MOTION FOR AN ADDRESS.

LORD BUCKHURST rose to move

"An Address to Her Majesty, praying Her Majesty would be graciously pleased to take into consideration the case of Mrs. Burgoyne, widow of the late Captain Burgoyne, of Her Majesty's ship "Captain," with a view to her relief from the pecuniary liabilities which she had incurred in consequence of the loss of that ship."

The noble Lord said, that his attention having been called to the circumstances of this case, he felt it due to the memory of the gallant officer who was lost in the ill-fated *Captain*, and also to Her Majesty's Government, to ask if the statements which had appeared in the public prints were founded on facts within their cognizance. The noble Earl opposite (the Earl of Camperdown) admitted the general facts, but justified the course which had been pursued because of the danger of establishing a bad precedent. No doubt it would be a dangerous precedent for the Admiralty to pay the bills of deceased officers; but this was a very exceptional case. The late Captain Burgoyne, on the part of the officers of the ship, had made himself liable for certain payments amounting to upwards of £500, which were customarily defrayed by the officers, for ship's articles, such as stationery and other things required in the officers' mess-room, including also band instruments and uniforms of the band. The Admiralty were not asked to pay this sum as representing bills incurred by the officers; but because, in consequence of the sudden loss of the ship, the expense of all the officers had fallen upon the widow of Captain Burgoyne, who had made himself responsible for his brother officers. The noble Earl had stated that the creditors of the late Captain Burgoyne had not been referred to Mrs. Burgoyne for the payment of any of these bills. But he (Lord Buckhurst) had the best authority for stating that the person who supplied the uniforms for the band did apply to the Admiralty for payment of £46, and that the answer given was that he must apply to Mrs. Burgoyne. The noble Earl had stated that £210 had been paid to Mrs. Burgoyne for furniture, with a view of compensating in some way for her other losses; but that sum was really owing to Captain Burgoyne as part of what was due for the outfit, and even that was not paid till after the question had been noticed in the public Press; at least it had not been paid on the 17th of April. Considering the very painful and exceptional circumstances of the loss of the *Captain*, he thought the case a very hard one. The widow of a young and gallant officer, owing to the temporary responsibility incurred by her husband, was left liable for the bills of the officers of the ship, who lost their lives in the service of their country. He did not believe the country would endorse such a decision—if that was the decision of the Board of Admiralty—nor did he believe their Lordships would give it their sanction.

Moved that an humble Address be presented to Her Majesty praying that Her Majesty would be graciously pleased to take into Her consideration the case of Mrs. Burgoyne, widow of the late Captain Burgoyne of H.M. Ship "Captain," with a view to her relief from the pecuniary liabilities which she has incurred in consequence of the loss of that ship.—(*The Lord Buckhurst.*)

THE EARL OF LAUDERDALE joined in the hope that Her Majesty's Government would arrange that some compensation should be given to the widow of Captain Burgoyne. This was a totally exceptional case. It was the case of a ship sent out experimentally by the Government—such experiments necessarily incurred risk and danger, and if an exception to the practice of the Admiralty were not made in a case of that kind, no men would be got to go with a ship so sent out. Officers might be got, for they looked to promotion; but it would be impossible to find men, as they could get employment in other ways. As far as he could make out the Admiralty had done nothing for the widows of the crew of the *Captain*, beyond granting them a year's pay, which they were entitled to demand as a matter of right according to the rules of the service. But the country at large at once saw the claim which the widows and orphans of those men had upon them, and a large sum of money was collected for their use; but the fact of such a subscription being raised did not excuse the Government of the country from doing their duty to those unfortunate widows and children. The rules of the Navy were rather extraordinary on some points. If there should be a total loss of one of Her Majesty's ships and everybody on board drowned, the Government paid nothing to the relatives, whatever property the men who lost their lives might have carried out with them. If a ship were not a total loss, but if the crew lost all their clothes, the Admiralty made them an allowance. If, however, the clothes did not entirely disappear, but happened to remain under water for five or six weeks and became totally useless for wear, the Admiralty then gave the crew hardly anything at all. For the purpose of compensation there must be a certificate that the clothes were totally lost. If he had a gold laced coat under water for six weeks, and it came up as black as a coal, still, as it was not a total loss, nothing would be allowed him. He had heard it said that if sailors were paid too well for their clothes they would not take care of them. That might be all very well as a general rule; but he trusted that in this case the Government would at any rate discharge the debts incurred for band instruments.

The Earl of CAMPERDOWN said, he hoped that in replying to the observations of the two noble Lords who had just spoken, no expression of his would be construed as implying that he did not feel the deepest sympathy for Mrs. Burgoyne, and for the widows of the officers and men who were lost in the unfortunate *Captain*. He was merely about to argue an abstract case on its merits. Some of the remarks he should have to make were in substance made the other night; and he presumed that the noble Lord (Lord Buckhurst) in now moving an Address to Her Majesty did so rather with a view of affording himself an opportunity of expressing his opinions than of seriously pressing the Motion on the House; for in presenting an Address to Her Majesty praying for a grant of money, their Lordships would be taking a step which could lead to no practical result, as it was not within the competence of that House to originate Motions with regard to grants of money; and if Her Majesty should graciously think fit to pay these debts out of her private funds—which was the only way in which a favourable answer could be given to this Address—Her Majesty would do so *proprio motu*. The noble Lord who made the present Motion had attributed to him (the Earl of Camperdown) one or two observations, which possibly he might have used, but which he had never intended to use. The noble Lord said he had stated the other evening that the Government had paid to Mrs. Burgoyne £210 to meet these debts. Now, what he really said, or intended to say, was that the Government had paid that sum, not to meet those debts, but that the debts might be met by it. There was a wide distinction between the two phrases; because he maintained that these debts were essentially private debts for matters purchased for the use and convenience of the officers of the ship, and of which the Admiralty could take no cognizance. The noble Lord also said that the £210 had not been paid to Mrs. Burgoyne until recently, and that Captain Burgoyne when he went to sea only took part of what the Admiralty were bound to pay him. [Lord Buckhurst: He might have taken £350.] That money, or the money's worth, was the entire allowance for furniture, &c., of the whole of which, if an officer did not avail himself, the Admiralty did not feel called on to pay him the difference. The debts to which allusion had been made were private debts, and if the Admiralty paid them, it would be establishing a precedent for paying every officer now living the amount of debts incurred for the purchase of similar articles. The claim for these debts was not sent into the Admiralty as made upon Captain Burgoyne, and the Admiralty did not refer the creditors to Mrs. Burgoyne; but he might mention that, since the noble Lord spoke the other night on the subject, certain other creditors had sent in claims upon other officers. The Admiralty certainly did not refer creditors to Mrs. Burgoyne, but only answered the demand by saying that the Admiralty did not take cognizance of private debts. He would here remark that Mrs. Burgoyne, though she had suffered a great loss in the death of her husband, was not the only wife who had lost a husband on the occasion; and, though an appeal was made for her and her alone, it was obvious, if a favourable answer to that appeal was made, the claims of the widows of the other officers and of the men must be considered; and their Lordships must bear in mind that the loss of life at sea was a misfortune of not infrequent occurrence. Supposing this Address agreed to, the Admiralty had no funds available to meet it. Any grant made must be made at the instance of the Government and with the concurrence of Parliament, and must not fall upon the ordinary expenditure of the year. There were three conditions on which this grant could be made. It should be regarded as a donation, and should be made entirely without reference to these debts; the widows of officers and men should be treated alike, and as all had equally suffered, what was done should be done for all; lastly, the grant, if made, should not fall upon the expenditure of the year—because by this means only could they avoid creating a precedent which would be most awkward in any future case of the kind. Noble Lords who had been in office knew how difficult it was to make an exception without entirely breaking down the rule. When the relatives of any officer drowned in the execution of his duty were treated exceptionally, the case was certain to be appealed to as a precedent, and he thought justly so, by future sufferers. The subject, however, had been brought under the notice of the Government since it had last been mentioned to their Lordships, and as no decision had yet been arrived at, he hoped that, in the meantime, the noble Lord would withdraw his Motion.

Lord BUCKHURST said, that understanding that the matter was under consideration by the Government, he was willing to withdraw his Motion.

The Earl of LAUDERDALE said, he was quite aware that the Admiralty had no funds out of which they could compensate the sufferers, but they could apply to the Treasury who had funds; and if they were refused there they could go direct to Parliament, and he had no doubt that Parliament would give a reasonable grant for such an exceptional case.

Motion (by Leave of the House) *withdrawn.*

LEEWARD ISLANDS BILL [H.L.]

A Bill for the federation and general government of the Leeward Islands—Was *presented* by The Earl of Kimberley; read 1ª. (No. 105.)

House adjourned at a quarter before Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 9*th May*, 1871.

MINUTES.]—Select Committee—*Fourth Report*—Committee of Selection [No. 71].

Ways and Means—*considered in Committee*—*Resolution* [May 8] *reported*—Tea Duties.

Public Bills—*Ordered*—*First Reading*—Tithe Rent-charges (Ireland)* [132]; Courts of Justice (Additional Site)* [133].

Second Reading — Trust Funds (Investments) [123].

NAVY—H.M.S. "CAPTAIN"—CASE OF MRS. BURGOYNE.—QUESTIONS.

Mr. BAILLIE COCHRANE said, before putting the Question which was on the Paper, he must complain of its having been altered from its original shape, and he would ask Mr. Speaker under what rule such alterations were made, and whether the Notice of a Question should not be printed in the form in which it has been submitted to the House? The alteration made in it was the more remarkable, inasmuch as the Notice of it was received with general approval by the House, and no objection at the time had been made by the right hon. Gentleman in the Chair as to its form.

Mr. SPEAKER replied that the hon. Member had not given him an opportunity of seeing his Question as originally framed. If he had done so he might have been able to give him a more satisfactory answer than he was now able to do. The House was aware that when Questions were brought to the Table it was sometimes necessary to revise them, inasmuch as they often contained argumentative matter, and, in other ways, transgressed the Rules of the House. It was, therefore, his opinion, and he believed the opinion of the House, often expressed in reference to those Questions, that it was desirable, when it was thought necessary to introduce any amendment into them, to communicate, if possible, with the hon. Members who had given Notice of them; and, if it were found impossible to make such communication, the Officers of the House undertook to make Questions as conformable as possible to the Rules of the House. He believed that the manner in which this office was conducted had hitherto been considered satisfactory by the House.

Mr. BAILLIE COCHRANE asked the First Lord of the Admiralty, Whether his attention has been drawn to the explanation given of the demand of £400 to £500 made on Mrs. Burgoyne for certain expenses incurred by Captain Burgoyne in his official capacity; whether the statement is correct that the sum of £210 was offered to Mrs. Burgoyne in part payment of these demands, this sum, in fact, being already due to her in payment in full of the sum of £350 allowed to Captain Burgoyne for outfit, he having only drawn £140 on account; and, whether, considering that the country has subscribed more than £50,000 for the families of those who were lost in the "Captain," the Admiralty could not find means to settle the demands aforesaid?

SIR JAMES ELPHINSTONE said, before the right hon. Gentleman answered the Question, he thought it necessary for him to state to the House that the case of this lady, Mrs. Burgoyne, would, in his opinion, be much prejudiced if her statements of the facts of the case were not placed before the House. ["Order, order!"] This was a matter of such importance he was anxious that the Government should not commit itself to any decision respecting it until it had obtained a full knowledge of the facts. ["Order, order!"] He would put himself in Order by ending with a Motion.

MR. SPEAKER said, the hon. and gallant Gentleman was out of Order, inasmuch as there was already a Question before the House.

MR. GOSCHEN: I am asked, Sir, first, whether my attention has been drawn to the explanation given of the demand of £400 to £500 made on Mrs. Burgoyne for certain expenses incurred by the late Captain Burgoyne in his official capacity. My attention has been drawn to the various statements which have appeared in the public papers on the subject, and also to an explanation which has been given in regard to it. As a matter of fact, claims to the amount of £400 have been sent in to the Admiralty. These claims have not been made by or on behalf of Mrs. Burgoyne, nor have they been referred by the Admiralty to Mrs. Burgoyne. As far as I can make out, there is but a small portion of those claims which relate to Mrs. Burgoyne at all. A portion of them relates to the engineers' mess and to the messes of other officers, with regard to which no tradesman ever thought that Mrs. Burgoyne was responsible, nor am I aware that any demands have been made upon her respecting them. As regards the second paragraph of the hon. Member's inquiry, it is incorrect to state that the sum of £210 has been offered to Mrs. Burgoyne in part payment of these demands; but the payment was made to her, and accepted by her, of £210, not in payment of these demands, but in consideration of the heavy loss she had incurred—the Admiralty being anxious to stretch every point, in order to be as liberal as the regulations allowed. A very incorrect impression was likely to be conveyed by the form in which the Questions of the hon. Member were framed. The case was as follows:—An officer is not entitled to draw his money except for stores or furniture. Captain Burgoyne had only drawn £140; but the Admiralty did not feel bound on that account to make up the deficiency. But the Admiralty found in these circumstances a means of giving this £210 to Mrs. Burgoyne—not as a matter of right, but from a desire to assist her as far as possible in the deplorable position in which she was placed. The Admiralty are anxious that those officers who leave their debts unpaid on going to sea should not be placed in a better position than those officers who had settled all claims on them. If the debts of an officer were recognized and paid by the Admiralty, it would be necessary to give a gratuity to the representatives of other officers who had paid all their debts before they started. If it be necessary to extend the bounty of Parliament to Mrs. Burgoyne, it would be equally necessary to include in it all other widows who were similarly circumstanced.

IRELAND—SURPLUS REVENUES OF THE IRISH CHURCH.—QUESTION.

MR. WHALLEY asked the First Lord of the Treasury, with reference to the surplus Revenues of the Irish Church, Whether he is prepared, on the part of the Government, to give favourable consideration to the proposal for applying such Revenues in part or in whole in relief of the extraordinary expenditure still called for to suppress outrage and conspiracy in Ireland?

MR. GLADSTONE: Sir, the idea of my hon. Friend is an original one. I am afraid that if the Government were to entertain the proposal at all they would give it an unfavourable consideration.

TREATY WITH THE UNITED STATES.

QUESTION.

LORD ROBERT MONTAGU asked the Under Secretary of State for Foreign Affairs, Whether, in treating with the United States Government respecting the claims arising out of the captures made by the "Alabama," it was intended to recognise claims of British subjects which may have been or may be presented for illegal captures of merchant vessels by the cruisers of the United States during the war, or of British property seized or destroyed by orders of the United States authorities?

VISCOUNT ENFIELD: Sir, the only definite reply I can give to my noble Friend is, that the Government heard to-day by telegraph that a Treaty has been signed at Washington; but at the present moment Her Majesty's Government are not in a position to publish its contents.

THE WOODS AND FORESTS AND CROWN PROPERTY.—QUESTION.

LORD HENRY SCOTT asked Mr. Chancellor of the Exchequer, If he would state to the House what is the exact nature and extent of his responsibility for the Office of Woods and Forests, and how far he has any control over or management of Crown property and of the rights of the Crown over lands, forests, and foreshores; and, whether his responsibility is in any way shared by the Secretary to the Treasury; and, if so, in what degree is so shared?

THE CHANCELLOR OF THE EXCHEQUER: Sir, by the 10 *Geo.* IV., c. 50, s. 9, it is enacted that the Commissioners of Woods and Forests are to observe the directions, not being contrary to the provisions of that Act, which shall be given by the Treasury touching the discharge of their duty. By the 60th section of the same Act it is enacted that no sales, except sales for not more than £100, and no exchange, lease, or grant shall be made by the Commissioners of Woods under that Act without the previous authority of the Treasury. By an Act passed in 1866 the jurisdiction over the foreshores is removed from the Woods and Forests and conferred upon the Board of Trade. The noble Lord is as able as I am to construe these clauses, and, no doubt, he sees that the responsibility technically rests with the Lords of the Treasury, though matters would be managed by the Secretary to the Treasury.

THE CONTRACTORS' ACT.—QUESTION.

MR. MITCHELL HENRY asked Mr. Attorney General, Whether, having regard to the Act 22 George 3, c. 45, commonly called "The Contractors' Act," and to a Correspondence in "The Times" newspaper of May 5 relative to Admiralty Contracts, by which it appears that a partner in a firm which includes a Member of Parliament may take a Contract in the way of the firm's regular business, but on his own account and in his own name, he is not of opinion that such a state of things, if legal, forms a strong argument for a re-consideration by the Government of the policy of that Act?

THE ATTORNEY GENERAL: Sir, as regards the first part of the Question of the hon. Member, it seems to me that we should be unduly extending the operations of the Contractors' Act if we were to put so wide a construction upon it that no member of a firm in which a Member of Parliament was a partner could take a contract entirely in his own name without causing that Member of Parliament to vacate his seat. With respect to the second part of the Question, which is one of policy rather than law, that would have been more satisfactorily answered by some Member of the Cabinet; but, speaking for myself, I must say that, although I doubt not the policy which dictated the Contractors' Act was sound at the time it was passed, I question whether it is necessary now, and I do not doubt that in many respects is is inconvenient.

CATTLE FROM PRUSSIA.—QUESTION.

MR. CARTER asked the Vice President of the Council, If he is in a position to hold out any hopes of being able, within a reasonable time, to remove the restrictions now in force on the free circulation in this Country of cattle imported from Prussia?

MR. W. E. FORSTER replied that by a recent Order German cattle were placed in the same position in which they were before the war with France; German sheep could now go into our inland markets unless they came in the same ship with cattle, or they might go on after a certain delay. It would be impossible at present to have any further relaxation. The reason why the Government were unable to allow German cattle to be imported freely arose from the fact that they could not ensure that cattle coming from the Steppes were not imported from the German ports into this country. There was no doubt that there was danger of cattle plague from such cattle. The Government, too, had lately revoked the Order which required Dutch cattle to be slaughtered at the port at which they landed, Holland having taken measures of great stringency to prevent the importation of any cattle, and there having been no cattle plague in that country for three years.

POST OFFICE MONEY ORDERS.

QUESTION.

Mr. MAGUIRE asked the Postmaster General, Whether it is true that although a diminution of charge is made under the revised system of Money Orders for small sums, the charge for Orders for £2 and upwards has been increased five-and-twenty per cent; and, if this be the case, what course he intends to adopt to give effect to the desire of Parliament that the fees for Money Orders generally should be sensibly reduced?

Mr. MONSELL said, in answer to the Question of the hon. Gentleman, he had to state that the charge on money orders for £2 exactly, and £5 exactly, was increased in the one case from 3*d.* to 4*d.*, and in the other from 5*d.* to 6*d.* The charge for orders from £1 to £1 19*s.* 11*d.*; for orders from £4 to £4 19*s.* 11*d.*; and for orders for exactly £7 and exactly £10 remained as it was. The charge for all other orders had been reduced. The total reduction of charge to the public on the present amount of business was £29,500 per annum. He had a statement of the new charges printed, a copy of which could be obtained by application at the proper office.

NAVY—SERVICE BUOYS.—QUESTION.

Colonel FRENCH asked the First Lord of the Admiralty, Whether any steps have been taken to supply an improved Life Buoy to Her Majesty's Ships, the present Service Buoy being notoriously inefficient as well as dangerous?

Mr. GOSCHEN replied that the service buoys on board Her Majesty's ships were neither inefficient nor dangerous.

ESTABLISHED CHURCHES.

Mr. GATHORNE HARDY said, before the hon. Member for Bradford proceeded with his Motion respecting the Established Churches of Great Britain, he wished to present a Petition from Bradford itself, signed by 21,700 persons, against the Motion the hon. Member was about to bring forward.

ESTABLISHED CHURCHES.

RESOLUTION.

Mr. MIALL, in rising to move—

> "That it is expedient, at the earliest practicable period to apply the policy initiated by the disestablishment of the Irish Church by the Act of 1869 to the other Churches established by law in the united Kingdom,"

said: Sir, my hon. Friend the senior Member for the City of Bristol (Mr. Morley), in seconding the Address to the Throne on the first night of the Session, gave expression to his hope that in the event of the Universities Tests Bill and the Burials Bill being assented to by Parliament, no more would be heard of "Dissenters' grievances." Concurring with my hon. Friend in the hope he expressed, I rejoice that the Motion I am about to submit to the House does not rest upon any sectarian or narrow grounds. It involves a matter of high national policy. It concerns the interests of Churchmen quite as much as it does those of Dissenters—and in its range it embraces issues which will affect the condition of numbers of persons who sympathize with neither. I desire to deal with it on the present occasion in the full recognition of those facts—and therefore with no special reference to the benefit of Nonconformity, but simply with a view to the social, moral, and religious advantage of the whole country. As a rule, I am quite aware the House dislikes abstract Resolutions. I am not surprised that it should; but I do not see very clearly how the opinion of the House could have been more conveniently tested in the first instance as to the expediency of giving complete effect to the politico-ecclesiastical policy of 1869. To have introduced a question of this magnitude by a Bill or Bills—for it would have required more than one — would have been an absurd undertaking on the part of any private Member — only a responsible Government could have presumed to initiate the question in that shape. But it is to no idle discussion that I invite the House. The object I have in view is a perfectly practical one—namely, to ascertain how far the House is disposed to apply to other parts of the United Kingdom a policy sanctioned by Parliament in its application to Ireland. In seeking to gain that object I earnestly and honestly disclaim all feelings of hostility to particular Churches, as well as to particular Church parties. I wage no war with religious denominations as such, Episcopalian or Presbyterian. I heartily wish them God-speed in their respective spiritual missions. In this House, I trust, and in my capacity of Member, no one will ever hear from my lips any criticism of the religious faith, or of the mode of worship, of the Church to which he belongs. I shall not assail either the Church of England or the Church of Scotland as a spiritual organization, but I shall attempt to show that the relationship they sustain towards the State, and the position which the State assigns to them, are condemned by experience as well as by reason, and ought to be put an end to as soon as possible. Before proceeding to deal with the substantial merits of the proposition I must ask permission to say a word or two in justification of my having brought it before the House this Session. There is "a time for all things," I shall be told, and the proper time for mooting this question in Parliament is not come. It is much too far in advance of public opinion to allow of its being treated with a view to immediate legislative settlement, and on this ground I may be charged with being premature. Well, Sir, I scarcely need remind the House that the objection has been hurled, I may even say at random, at every change of any moment on its first introduction to the Legislature. Precisely the same charge was urged against certain proposals touching the Irish Church which I submitted to the House in 1856. They were pooh-poohed as premature and unpractical by the front benches on both sides, and in 1869 were adopted by Parliament almost to the letter. I know very well that a Bill for the disestablishment of the Church of England has no chance of being past just yet—perhaps not during the continuance of the present Parliament; but if not, that is no reason for refusing to deliberate seriously on the subject. But I dispute the allegation that public opinion is unprepared to witness initiatory steps towards a settlement of the question. On the contrary, so far, at least, as my observation extends, those who desire and those who repudiate the object of my Motion, alike take for granted that the discussion of it cannot be much longer postponed with advantage. Why, Sir, what are the facts? Can any hon. Member so completely shut his eyes to what is going on, not merely in this country, but in all the Colonies, and in most European States, as not to have descried the rapid approach of what I may call a tidal wave of sentiment, which will presently beat with overwhelming effect upon the union of the temporal authority with the spiritual in the constitution of Governments? To me, I confess, it appears as though the whole force of all the lessons on this subject contained in the history of Christendom were bearing down on public opinion with a pressure it will be wholly unable to withstand. During the 30 years that I have given special attention to the State Church system, all the main arguments by which it rooted itself in the public mind have been rent assunder by facts—all the theories, from that of grand old Hooker downwards, which gave it a hold upon reason, conscience, affection, have been pitilessly exploded. The Anglican Church, *qua* a State Church, a Church established by law, a Church lifted by the Constitution into political ascendancy, has now its only *raison d'être* in the past. It continues to stand among us for no other reason than that it has stood so long. Logically speaking, the spring and stay of its life is gone. Well, Sir, an institution of which this may be truly said, lacks the foremost and most indispensible condition of perpetuity. But look at other conditions. The Church is convulsed by internal dissensions. It must needs become more desperately so in proportion as thought becomes more active, and inquiry more searching, and conscience more energetic; and we know, as a matter of fact, that we should have anticipated as a matter of conjecture, that where differing, and even opposed, schools of theology are dominated by the same legal standards of doctrine and discipline, each will denounce the others as unfaithful, and severe conflicts within will exhaust the strength needed to cope with unfriendly elements without. Then look outside the pale of the Establishment. There are first, the various Nonconformist Bodies. I will not estimate their numbers absolutely or relatively, because any estimate of mine would be disputed; but nobody will deny that they reach a very considerable aggregate, and to all of these bodies the State Church, in the very nature of things, presents itself in the light of a monopoly, sometimes barefaced and repulsive, sometimes veiled and unobtrusive, but always unjust. Then glance, for an instant, at the great wage-earning class, both in the large towns and in the rural districts—a goodly proportion, too, of whom possess the elective franchise. It is confessed on all hands that to the great majority of them the Church has ceased to have any attractions — ["Oh, oh !" *and* "Hear, hear !"] — though, as yet, it may not have called out any very active hostility. Well, Sir, these are conditions which strike me as utterly incompatible with a safe postponement of this question to any distant date. Let it be borne in mind that the problem to be solved is a difficult one; it involves a great number of extremely delicate questions; it is bound up with a variety of social and family interests; and it will need much preliminary investigation by the Government which charges itself with the settlement of it, and a great deal of skill in the handling of it. It seems to me that for the sake of all the parties, and of all the interests concerned, the matter is one which should not be allowed to drift down with the silent stream until it finds itself in troubled waters. It would be nothing short of a national calamity if the changes — the legal changes—which the disestablishment of the Church of England would require, should be set about under the impulse of political terror, or popular passion, or, indeed, under any external conditions except such as would allow of ample leisure, cool deliberation, and quiet interchange of opinions. So much as to this charge of being premature from a general point of view. Now let me ask the House to look at the matter from the point of view of those who are outside the pale of the State Church. Is it possible, I ask, for us to shut our eyes to the fact, that so long as the Church of England remains part of the Constitution of England, her position will necessarily be taken into account in all our ecclesiastical or semi-ecclesiastical legislation. Had we not proof enough of this only last Session? Was not the current of legislation, in more than one or two instances, turned aside—and, as some of us think, very much to the public detriment—by the mere fact that a Church Establishment continues to exist? Nor is this all. Look at the waste of time involved in dealing, year after year, with measures introduced with a view to give freer play to the Establishment principle, or to cure the anomalies and mischiefs it engenders. What lasting good can come of our pottering over an interminable succession of small repairs, when we all know well enough that the foundations of the edifice are being hopelessly undermined by the stream of events? Is it reasonable that we should be asked to join in increasing the difficulties which will have to be surmounted when public opinion shall make the settlement of the question inevitable; or that we should be called upon to create fresh vested interests, every one of which we shall have at last to satisfy to the utmost? These are reasons, Sir, which prevailed with me not to postpone breaking ground on this momentous subject to an indefinite period. As a continuance of the policy of the Irish Church Act of 1869, I might have brought it forward last year, but for my anxious wish to avoid throwing any obstacle in the way of the completion by the Government of its great work of justice to Ireland. I am not sorry that I have let the matter rest until now, but I think I could not have allowed it to remain in abeyance through another Session without exposing it to the chance of increased difficulties and dangers. Let me now submit to the House, as concisely as I can, two or three broad reasons in support of the Resolution I have ventured, Sir, to place in your hands. I take for granted, what I suppose the House will at once admit, that this is a question which beyond most others has a specially religious aspect. I am not going to discuss it in that light. I agree that, however high the qualifications of this House in other respects, they do not constitute it the fittest possible tribunal for testing the worth of religious opinions. And, to do it justice, the House has usually disclaimed not only its own fitness, but its own inclination to meddle with religious problems in its debates. Well, Sir, what the House does not wish to talk about, I am anxious that it should not affect to govern. Elsewhere, assuredly, I should contend that this is a question which not merely has a religious side to it, but that the religious side of it is by far the broadest and the most important. At any rate, it is on this side of the question that I find my chief motive for calling the attention of Parliament to it, and I hope the House will forgive me for saying that it is not because I depreciate this aspect of the question—and far less because I doubt the solidity of the ground it offers me in debate, that I decline resting my present argument upon it. But, Sir, there is one line of observation open to me which I think I may pursue with propriety even in this House. What is the purpose—I will not say the sole, but the main purpose aimed at by giving to the Church a political Establishment? Her Prelates sit in the other House, her clergy claim and enjoy a legal and exclusive status, her parochial and other endowments have been assigned to her by law, and her liturgy and Articles have been made part of an Act of Parliament, for the promotion, I suppose, of the spiritual interests of the people. In theory, at any rate—in that conception of it which fired the imagination and kindled the religious ardour of our forefathers—a State Church was an institution set up for the purpose of Christianizing all the people of the State. And, truly, the object they had in view was so grand, so generous, so Godlike, that even we who most emphatically repudiate the means chosen to carry it into effect, can at least thoroughly understand it, and look back upon it with admiration, if not with sympathy. They meant a really beneficent thing when they allied the Church, their best ideal of human goodness, with the law, their highest ideal of human power. In those days they did not reflect that conscience and faith can no more be restrained within limits drawn around them by the law of man than the dreams of childhood can be preserved under a glass shade. But if they made a mistake in the view they took of the congruity of the two forces—the temporal and the spiritual—and forged fetters for faith and love, that could no more touch them than a bullet could wound a disembodied spirit, they aimed, at any rate, at a complete and intelligible result. The National Church, in their idea of it, expressed a national faith. It aimed at securing a national unity of belief, a national uniformity of worship, and a national identity of religious teaching by the clergy; and hence it claimed an exclusive right to employ national resources. All the souls of the nation were taken in spiritual charge by it. All were baptized into communion with it. All were bound by law to receive its teaching, and were met at every turn of life by its ministrations and offices. That, Sir, was the original conception of the Church of England, and all the legal arrangements devised to give realization to it were of a piece with it; were marked by logical consistency; were based upon the same hypothesis—namely, that there can be no National Church which is not the Church of the whole nation. Well, Sir, in these days we have to do with a state of things wholly incompatible with that ideal. The question left to us for consideration is, whether the meaning, the spirit, the purpose of the old State Church system having evaporated, we do well to tie ourselves to the dead forms of it conserved only by the machinery of the law. The Church of England is not now in fact, whatever she may be in profession, the Church of the whole people of England. She is the largest of the denominations into which the Christian people of this country are divided, comprising, we will say, half the population as her voluntary adherents and members, and that half for the most part the upper, the less dependent, and the better-to-do half of society. She can lay claim, with truth, to the bulk of the wise men, the mighty men, and the noble of this land. She lives in the esteem of the wealthy and the respectable. But it can hardly be said with truth that she has taken a proportionate hold upon the far more numerous classes beneath them. She has never—and probably less than ever in our times—

overtaken the work which she arrogates exclusively to herself. She claims the whole ground for cultivation, but at least a moiety of that which comes under cultivation at all is cultivated by Churches which she will not recognize. She is never likely to cover the whole ground now. She is not, therefore, a National Church, for she neither does nor can comprehend within her ministrations, her sacramental and tuitional agency, the entire body of the nation. All the resources, it is true, which the nation as such has given for religion she appropriates to herself. All the worldly honours by which it means to mark its appreciation of religion she keeps in her own hands. But she is not the National Church in the sense of being the accepted or adequate organ of the whole people of England for quickening, nurturing, or giving expression to their religious sentiments. And, after all, this statement of the case falls very far short of the facts. The general impression it leaves upon our minds as to what we gain from the Church Establishment in spiritual results would be far more unfavourable if we could analyse those results. Imagine, for instance, if you can, the aspect which the religious condition of the nation would assume at this moment if it could be seen minus the part contributed to it by the non-established communities? I invite the House to pursue that thought. What, I ask, would be the result if we were able to distinguish and pull out from the spiritual covering provided for the people of this realm every thread which had been woven into it by other hands than those of the Church of England, and could parcel it out among separate denominations in such manner as would enable us to say—"So much belongs to the several sections of the Methodist Body, so much to the Presbyterians, so much to the Independents and Baptists, so much to the Catholics!" If it were possible, I say, thus strictly to follow up and measure off the work of each denomination, and to wipe it out from the sum total of religious life and effort in this kingdom, what an astounding discrepancy would be exhibited between the purpose for which the Church Establishment was set up and the actual results it has achieved. But, in truth, even the net sum of good remaining after this process of elimination is not wholly due to the working of the State Church system. No man can make the admission with more profound satisfaction than I do, that, for something upwards of a generation, the members of the Episcopal Church have been exceedingly active in supplementing the deficient provision made by the law of the land for the spiritual wants of the community. The number of district churches built and endowed by private liberality speaks volumes for the power and the fruitfulness of religious life in the Established Church. But this expansion of her machinery, it should be remembered, is not due—at least to any considerable extent—to the action of the State. All that the State can be truly said to have done in this matter is that it cleared the ground of some of those legal impediments which it had itself thrown in the way of religious zeal. With very small exceptions, that do not materially affect my argument, it did not build these churches. It did not endow them. It does not support them. It has simply absorbed them into the system as "by law established." All the beneficence put forth in achieving these splendid results—for splendid results they are—was put forth by individuals, not by Parliament. The Bishop of London's Fund, for example, owed nothing to the Legislature. The beautiful structures, reared by the munificent donations of the wealthy, both in the Metropolis and in not a few of our provincial towns, would probably have been reared all the same if the Church to which they were made over had been independent of the State. Indeed, the spontaneous liberality of Churchmen, which has thus enormously added to what I may be allowed to call the plant of the Establishment, so far from having been helped by the law, has often been hampered by its restrictive conditions; and sometimes, after a lavish expenditure of money, has been grievously disappointed in its purpose, on account of the ends to which it has been legally perverted. Well, now compare what has been actually done by the Church Establishment system with what it was evidently set up for the purpose of doing, and what is the conclusion at which the comparison points? It was meant to be the Church of the nation; it is the Church of only about half of it. Its nationality is but a fiction of law. The work it took in hand to do—so far as it is done at all—has been largely done by other spiritual communities; and much of what the State Church does by its own agency is done by shunting its own theory, and adopting that of the Churches outside its pale. In all these respects the State Church system as such is proved to have been an egregious failure. It has failed quite as signally in other respects. It was meant to secure unity of belief, uniformity of worship, and identity of religious teaching by the clergy. Well, Sir, I put the question to the knowledge and conscience of the House—"Has it done that?" Do not let me be suspected of over-valuing these objects. They of olden times, it must be confessed, set a high estimate upon them. But there are two kinds of unity—the one is a manufacture, the other is a growth; one is brought about by legal coercion, the other by insight and love. Compulsory unity of religious profession by every subject of the realm was the aim of the law down to the period of the Toleration Act; forced uniformity of clerical teaching is what the law since then has been content with requiring. I know not which of the two is the profounder mistake. This I believe in my soul—that the Acts of Uniformity which stand upon our Statute Book have done more towards lowering the tone of moral and religious sentiment in this country than any other thing for which the State is responsible. Why do I think so? Because I have faith in the old proverbial saying that corruption of the best inevitably leads to production of the worst. Sir, religious profession at command—which is intended to stand for the outward and visible sign of religious belief at command—is an unpardonable affront put upon the intellectual and spiritual nature with which the Creator has endowed us. There are few national calamities more to be dreaded, none which bring with them a more killing moral blight, none which more certainly deprave the higher life of a people, than for the teachers of the nation, clerical or secular, to be placed by the law of the land under strong temptation to be cowards to their own convictions. The evil effects of it may be seen in the lax tone of society, which is, perhaps, its last result—a lax tone, especially in regard to the sacred ends intended to be compassed by an Established Church. Nobody can deny, I think, that there is a striking contrast between the temper and attitude of the British mind in relation to theological propositions and in relation to those which are scientific. In the pursuit of truth commonly classed under the term "scientific" there is an ardour, an independence, a simplicity of purpose, a conscientiousness in ascertaining and stating results, which to witness is with most men to admire and to revere. All of us give credence—perhaps too implicit credence—not merely to the results of scientific inquiry, but even to the speculative inferences drawn from them. We bow to a *consensus* of scientific men, even when the conclusions it has sanctioned cut right through the core of our pre-existing opinions. Now, let us suppose that science had been established by law as theology has been. Let us try to imagine a compromise of scientific opinions, contradictory of one another, made three centuries ago, petrified into an unchangeable standard, and protected by statute against the smallest alteration. Let us suppose national endowments to the tune of millions a-year set apart to maintain it, the Sovereign bound to confess it, the Universities obliged to subscribe to it, and everybody ambitious of being somebody tempted by the prestige thrown around it to profess general concurrence in it. On a supposition of this kind, what would have been the inevitable result? Why, Sir, the authorized, the Parliamentary, the national system of scientific truth, would have had crowds of nominal adherents and very few real ones. Inquiry would have been discountenanced, new discoveries of truth would have been discredited and discouraged, and science would have sunk to the low level of becoming a thing to live by instead of a thing to live for. Well, Sir, does not a compulsory profession of faith in spiritual truth operate in the same manner, and tend to the like disastrous results? Does not common sense, does not common experience show us that this manufactured and artificial unity of profession—this compulsory adherence to legally prescribed articles of faith—by the authorized exponents of Christianity, tends to anything rather than to a vital unity of conviction? It tends to deaden conscience; it tends to stifle inquiry; it tends to keep up a semblance of what has no corresponding actual existence; but the one thing which it does not do—the one thing which, in all manner of ways, it prevents being done—is precisely that thing which a law-established Church was instituted to see done. Is it not a fact that this unity of clerical profession prescribed by the Act of Uniformity is pierced through and through over its entire surface by living growths of faith which have been formed underneath it? Who does not know that the sects in the Church are almost as numerous, and much more discordant, than those that are outside of it? What candid mind does not feel itself compelled to admit that neither in faith, in worship, nor in teaching, does the exercise of authority of law achieve, or even tend to achieve, the unity which it proposes? In all religious respects the system has failed. Universality and unity were the two leading designs which the union of the Church with the State was meant to subserve—universality of the Church's sway over the consciences and hearts of men—unity of belief, profession, and teaching as it regards the clergy appointed and endowed to teach them. Sir, political ascendancy has not helped the Church towards either of these ends. It gave her authoritative access to the people, but has not helped to win their hearts, nor even to secure that testimony to her efficiency which she would have had if it could have been said of her that "the common people heard her gladly." It placed her clergy under legal definitions and restrictions as to their belief and teaching, but it has not suppressed the individualities and eccentricities of form which religious life, when greatly active among the clergy, was sure to take under unnatural pressure. Considered simply in relation to its own purposes, the union of the State with the Church has been a mistake, a failure, and a wrong. ["Hear, hear," *and* "No!"] The House, in its patience, will bear with me. I trust, while I glance—for I can do no more than glance—at another main aspect of the question; one that I sometimes fancy is more impressively realized by those of Her Majesty's subjects outside of the Church Establishment, than by those of them who find shelter within it. It is this—the essential and inseparable injustice involved in lifting one Church from among many into political ascendency, and endowing it with property belonging to the people in their corporate capacity. Two years have hardly elapsed since the phrase "justice to Ireland" was the watchword of the Liberal party. What was then understood by "justice to Ireland?"—what, but a policy of conciliation of which the disestablishment of the Irish Church was the foremost item! Well, but how was it that disestablishment was justice to Ireland? What made it justice? I venture to put it to the right hon. Gentleman who, to his immortal honour, inscribed this policy on the Imperial Statute Book, whether, when he called upon the people of England to do justice to Ireland, he did not mean by it that the first indispensable step towards paying the sister country the respect due to her was to relieve her of the burden of a State Church. What made it a burden? Wherein consisted the essence of the injustice which the British people were rightly called upon to remove? Was it not in this?—that that which is the common property of the whole nation—such, for example, as the nation's influence, the nation's authority, the nation's honour, the nation's wealth—cannot be exclusively made over to a part of the nation—without inflicting manifold wrong upon the residue? I grant that, in the case of Ireland, there were incidents of aggravation. The disproportion in numbers between the legally-favoured and the legally-discountenanced sections of the community, and the foreign origin of the Church established by law, gave to the Irish Church an appearance of oppressiveness which was apt to throw into the shade the unjust nature, in the abstract, of the State Church policy. But, in truth, the wrong done to Ireland consisted in the policy itself, not in its accidents; for, as a policy, it contravenes men's sense of the respect due to their freedom of conscience and to their individual rights of conviction. But what was unjust in Ireland is unjust here; for neither geographical, nor arithmetical, nor accidental conditions can alter the essential justice or injustice of a policy. They may make it more or less cruel, impolitic, or exasperating, but they cannot change its intrinsic character. Now, Sir, the inmost principle of a Church Establishment is necessarily unjust in its operation—or, to state the truth in a form less likely to be controverted—that man suffers injustice at the hands of the State, whom the State places in a position of exceptional disadvantage on account of his religious faith, or his ecclesiastical associations. Thank Heaven, and under Heaven thank Protestant Nonconformity, this axiom has been engraved indelibly upon the conscience of the British people, that a man's religion is an affair between himself and God; and that the statesmanship which deliberately sanctions his being molested in the profession, or the practice of it rests upon a basis condemned as radically unsound by the most indestructible of human instincts. I shall be asked, no doubt, what there is in the State Church policy as carried out in these days and in this country, which meddles with a man's freedom of conscience, or places him in an exceptional position, on account of his religious profession. I will give the answer, so far as I can, not so much in that form which would best express the sense of wrong felt by those who are not members of the Establishment, as in that form in which it will be most likely to awaken reflection in the mind of sagacious and high-minded statesmen. Take a survey of the operation of this State Church policy in its amplest breadth—what does it show you? It shows you a nation sharply divided by law in regard to their religion into two great sections — the one privileged, the other tolerated. It shows you one-half, or thereabouts, of the people of this kingdom condemned by law to occupy before the law an inferior position as compared with the other half — to be tolerated, endured, humiliated in that which they regard as their most incontestable right, and in the discharge of their most sacred obligations. It shows you the lesser half (we will say) of the community beholden to the greater half for their liberty to worship God as conscience may direct them—and, whilst they do so, witnessing the appropriation of resources common to both, to the exclusive support of the religious institutions of the stronger of the two. Do not imagine that the State can draw such an invidious line of distinction as this across the entire breadth of society without permanently deteriorating national character. Do not believe that the law, which ought above all things to be impartial and Imperial, can treat one large section of those subject to it with exceptional discouragement in their most cherished and most sacred interests, without leaving on both the favoured and the slighted areas of the community deep traces of its injustice. The prejudice of colour which, not many years back, stained the Statute Book of the great American Republic, did not more certainly, even if more perceptibly, give a taint to the tastes, habits, and character of the American people, than the analogous ecclesiastical prejudice sanctioned by law in this country lowers, and, to a considerable extent, vitiates, the tone of society. It is, perhaps, difficult to say which has been most injured in this respect by the law's partiality and injustice — the party on which it lavished the sunshine of its smiles, or the party which it has driven out into the cold shade. The moral damage each has sustained differs in kind, no doubt, from that suffered by the other. But the country is the main loser by this kind of thing. With those who look upon it from a foreign standpoint, it loses in reputation, it loses in influence, it loses in the weight of its counsels, it loses in the force of its example — while it has to lament among its own people the absence of that unity of feeling and spirit which would give the cohesion, force, and *verve* needed to grapple effectually with the monstrous forms of social evil which are rearing their heads in the present day. What the country has suffered and still suffers from the introduction of caste into our ecclesiastical relationships, it is, perhaps, impossible fully to estimate. But this is not the whole extent of the injustice perpetrated by the Church Establishment system. Its exclusive appropriation of property belonging to the nation as a whole, in providing for the spiritual need of but a part of it, under whatever specious pretexts it may be done, cannot be made consistent with what is due to equity in the employment of national resources. The working men of England and Scotland, for example, what share have they in the proceeds of that large estate which has been appropriated to the religious teaching they decline? It should be borne in mind that when we speak of Church property, we speak of the property set aside by the nation for its ecclesiastical affairs—the Church being the ecclesiastical, as the State is the political, phase of the entire community. Of this community, those who gain their subsistence by manual industry, including "the hewers of wood and drawers of water" for society, form no inconsiderable part. I say you are doing, not merely Dissenters, but the perhaps still larger class which, I am afraid, may be more accurately styled absenters, an enormous injustice when you abstract from the common fund a revenue which, when capitalized, would amount to from £100,000,000 to £200,000,000 sterling, to provide religious means for the upper and the richer half of the community. For, really, it comes to this in the main. Divide society in this country into three sections—the upper, the middle, and the lower—and I think it will be admitted that it is to a far greater extent with reference to the lower section, than to the middle and the upper, that the machinery of the Church Establishment has become of no avail. You will say that the machinery provided by the Nonconformists has also failed in regard to this class. I must admit it. I cannot deny it—although I can except from the force of the allegation, the case of the Nonconformists in Wales, and, to a very considerable extent also, that of the Methodists and Roman Catholics in England. But comparing, as a whole, the Established Church with the non-established churches, as to the spiritual grasp they have upon the poor, neither, I fear, can boast of much superiority over the other. There is this great difference, however, in the position of the two. The non-established communities, in all that they attempt for the evangelization of the lower stratum of society, employ none but their own resources; the State Church—so far at least as it acts as a State Church—employs the resources of the nation. And the chief religious means which are provided from national resources fall to the actual advantage of that half of the community which occupies a higher social position than the other half. I admit this is not an intentional result. But in its effect it is none the less a grievous injustice; because the share which the undermost section of society has in that portion of the national estate which is appropriated by the State Church, does chance to be so employed as to throw nearly the whole benefit of it into the hands of the sections that are better off than itself. From the political injustice inflicted by the system, I pass on to notice the social mischief which it works. The tendency of legislation for some time past has been, slowly, it may be, but progressively, to sweep away class distinctions, and, as far as law can do it, to remove the causes of social divisions and discords. We all profess to lament them. We have reason to do so. An immense work of social amelioration is waiting to be done in this country. The plague-spot of pauperism calls for all our vigilance and skill to check its spread, and the abject and helpless poverty which lies immediately contiguous to pauperism has little chance of resisting its inroads except by the help of a wisely-organized system of beneficence. Outside the action of the law, in this regard, there is almost unbounded scope for the action of voluntary zeal and generosity. One of the great needs of the day is a thorough systematization of the efforts prompted by good-will — and thorough systematization pre-supposes unity of feeling in order to unity of organization. Well, Sir, the one-sided interference of law with the religious relations of the people goes far towards minimizing, if not altogether precluding, this unity of feeling. It too often prevents co-operation in matters in which co-operation would be as easy as it is desirable, and, in other instances, like grit in machinery, hinders its smooth working by the friction which it causes. What a splendid opportunity, for instance, we had last Session when we set about framing the Elementary Education Bill! What was it that forced upon us the necessity of putting up with a dual system—in part denominational, in part common? Mainly, I contend, the existence and political power of the State Church. In America, where law leaves religion to its own resources, no such division of educational agencies has been found necessary, nor will it here for any great length of time after the policy of disestablishment has been carried into effect. This is but a single sample; but everyone must be cognizant of the fact that the spirit of exclusiveness, born of the Establishment system and fed by the encouragement given to it by the sanction of the law, permeates, more or less, the whole framework of society in this country. A dualistic and divided agency characterizes by far the largest proportion of moral, charitable, and philanthropic enterprise amongst us. Almost every village of any size has two distinct sets of apparatus for doing good — the one worked by Churchmen, the other by Dissenters. Every town has its exclusive circles of social intercourse—the one appropriated to Churchmen, the other to Dissenters. Every section of society is thus split up into incoherent parts. Many are the useful schemes that have had to be abandoned owing to the absence of good feeling between the favoured and degraded sects. Still more numerous are those which, from the same cause, are worked inefficiently. Sir, it is a pitiable condition of society, loosening its joints, and weakening its strength. All parties must take their share of blame for permitting it to continue. But the State is really the most responsible party. By its injudicious meddlings with religious opinions it has thrown the torch of discord into every corner of the kingdom, and, to an immense extent, has transmuted differences of belief into personal alienation of feeling. I come now to the last main consideration of the question to which I shall advert — I mean the very serious disadvantage which the system inflicts upon the Church itself. I will touch but cursorily and lightly upon this point, because anything calculated to throw light upon it will come with more authority from my hon. Friend who will second this Motion. But I can hardly pass it over without some notice. Sir, it must be confessed that the Church of England "as by law established" has reached a troublous stage of her experience. Seldom, if ever, has her discomfort been greater than it is now. "Without are fightings, and within are fears," or, as my hon. Friend the Member for Merthyr Tydvil (Mr. Richard) put it some days ago—"Within are fightings, and without are fears." Nevertheless, her condition at this moment is infinitely preferable to what it was a century ago. Then, in her political security she gave herself to sleep; and spiritual numbness and torpor overspread her frame. She cared nothing for freedom of action; she wanted only to be let alone. She is in a very different state now. She has a fulness of life too great for the narrow conditions which the law has imposed upon her. She yearns for more liberty. The atmosphere she breathes is oppressive to her. It always has been so except when she fell into a trance and forgot her responsibility. But now, and especially within the last few weeks, she bitterly realizes the fact that she is not free—not free enough to do her own work with satisfaction to her conscience. Sir, she cannot be at once free and established. So long as she remains in connection with the State, the people of this country will always, and wisely, insist upon determining in the last resort what she shall teach, and how she shall worship. There cannot be a Church Establishment—at any rate, there is never likely to be—without some distinct dogmatical basis. The dream of comprehending in one national and State-supported Church all religionists of all denominations, and of providing out of national resources for the authorized teaching of all creeds, and perhaps of no creed, is but a vain dream—"the baseless fabric of a vision"—a beautiful, many-tinted bubble, which bursts and disappears as soon as it is touched by the finger of practical statesmanship. As I said before, the Church cannot remain one of our political institutions without acknowledging the doctrinal and ritual conditions which the law imposes on her. Nor can it be forgotten that recent judgments in the highest Court of Appeal have narrowed rather than widened those conditions. I venture to predict, moreover, that as the law defines itself more precisely, the authorized exponents of religion who are subject to the law will necessarily become more and more cramped in their position, and more and more interfered with in their work. The system cannot go on much longer. The relationship of the clergy to the civil power is becoming intolerable to those of them who are most in earnest, and is felt by them to paralyze their spiritual power. It will be real mercy, I think, to do by legislation, and therefore simultaneously for the entire body of the clergy, what will require an immense amount of moral courage in any of them to do individually, or even as Church parties—namely, sever the bond which, even on their own showing, fatally restricts their freedom of action. Another and still heavier disadvantage sustained by the Church in consequence of its connection with the State, may be described in one word, secularization—secularization, first, in appearance, and ultimately, to a very serious extent, in reality. In appearance — and here I speak far more of the system than of the persons who administer it—because the nature as well as the effect of the union between Church and State thrusts under the public eye the secular, rather than the spiritual, element of it. Somehow or other, the law possesses a marvellous power of converting whatever rests upon it into property — not even excepting ecclesiastical functions, privileges, and even duties. Take, for example, the right and responsibility of appointing to a benefice—that is, of choosing the pastor for a parish. It is property; it has a marketable value; it is advertised in the papers, and is bought and sold every day. Take another example, which forces upon the notice of the public in a most profane form the seeming subordination in the State Church of the spiritual to the secular. Can anything be more demoralizing—anything more destructive of the Church's religious influence than the mode of appointment adopted in the case of Bishops? The *congé d'élire*, the Royal letter, the assured obedience of the dean and chapter, enforced, if necessary, by the penalty of *præmunire,* associated as it is with solemn prayer for Divine direction—Sir, it is a playing with sacred things for political and secular ends which is perfectly shocking, and which goes far to paralyze the spiritual authority and influence of the Church. Sir, it would be as useless as puerile to try and conceal from ourselves the fact that a very wide public opinion sees, or thinks it sees, behind this semblance of secularism in the legal arrangements of the Church, something of its actual influence upon her dignitaries and chief rulers. It is certainly unfortunate, that however simple and blameless they may be in their personal life, their anxiety for the well-being of the Church is so loudly expressed whenever her temporalities are threatened, and so timidly and hesitatingly evinced when huge inroads are being made upon her doctrine and ritual. Will any of us soon forget what took place in the other House, when the disendowment provisions of the Irish Church Act were being discussed in Committee? No doubt the right rev. Prelates thought they were doing the Church a service. If so, it was a saddening illustration of the effect of the system upon their minds. I do not like to describe it in words, nor need I do the Bishops that unkindness, for there are but few Members of this House who will not remember the sense of pain and shame which it excited in their breasts. Seldom, I think, have the Christian people of this country had to lament a more humiliating manifestation of the secularizing tendencies of the State Church system. Sir, I will not trespass much longer upon the forbearance of the House. I have advisedly restricted myself to three or four selected and salient features of the case, lest by a multiplicity of arguments I should confuse rather than deepen the impression I desire to produce. But I must not sit down without saying something of the rural parishes of the kingdom. In each of these, we are told, the clergyman, maintained by national endowment, is a living link between the highest and the lowliest of his parishioners, is a cultivated gentleman, located just where there is, if not the greatest need, at any rate the best opportunity, for diffusing both "sweetness and light," is the fixed centre in the parish of civilization, of education, of charity, of piety, and I am told that I propose to abolish him and leave the people to fall back again into ignorance and Paganism. Well, Sir, this portrait of the rural clergy may be in the main a true, if somewhat over-coloured picture, in not a few instances, and I do not wish to tarnish it. It exhibits one side of the case certainly, but there is also another, though my argument does not require and my inclination does not prompt me to call attention to it. Why should I find fault with the exquisite polish and beauty of the machinery, when my chief concern is with the kind of work which it turns out. These rural parishes have been in the undisturbed spiritual occupation of the clergy of the Church of England for generations past. Indeed, the clergy have all but undisputed religious sway in them. Ecclesiastically speaking, they can do pretty much as they like. Well, what, on a large scale, has been the result? What are the most conspicuous characteristics of our labouring agricultural population? Do they include "sweetness and light?" Do they include fairly developed intelligence? Do they include a high state of morality? Do they include affectionate veneration for religion? Are these the most prominent features by which the character of our agricultural population is distinguished, and in respect of which they bear away the palm from the inmates of towns? And the discouraging and painful answers to these queries—are they not to be found in Blue Books, verified as they may be by minute personal observation? When I am asked what will become of the rural parishes if you abolish the endowments which sustain the parsons, I reply, in the first instance, what has become of them under the assumed advantages of those endowments? But is it fair or reasonable to assume that the abolition of the parochial endowments in these rural districts will be tantamount to the abolition of the clergy? Does the House really believe that it would? If so, I must say that its faith is in direct opposition to most of the facts which bear upon the case. Take the Principality of Wales, for instance, where very few persons besides landowners prefer the State Church, where the bulk of the population is poor, and in many cases thinly scattered over the face of the country; surely no one will be bold enough to contend that it is by the endowments possessed by the Church Establishment that the Welsh people are kept from a relapse into heathenism. Look at Canada, look at the Australias, look at New Zealand, look at the United States of America—why, Sir, there is hardly a Protestant Episcopalian Bishop in any of these countries that has not borne unhesitating testimony to the sufficiency of Christian zeal and liberality for furnishing the means of religious instruction, and who has not deprecated all idea of going back to reliance on the State for the temporal maintenance of the Church in which he bears office. I could read to the House scores of quotations from passages uttered or written by colonial Bishops bearing out my allegation. And, Sir, this is a result at which we have no right to be surprised as if it were a strange thing. A religion that is worth anything will always contrive to find the means of its own sustentation and culture and extension. It always has done so, except where its elasticity and vitality have been withered by a system of public endowments. England is reputed to be the richest country in the world. English landowners and occupiers enjoy at least a fair proportion of that wealth. For the most part, they profess devoted attachment to the Church of England. Well, Sir, it seems most extraordinary to me that the right rev. Prelates of that Church should so loudly and so frequently proclaim their distrust of the readiness of those among whom they ordinarily mingle, and to whom they minister, to do what most other people do—namely, make some sacrifice for the maintenance of their religious faith. Sir, I believe this distrust is a libel on the English gentry. If the chief rulers of the Church of England chose to organize, each one for his own diocese, a sustentation fund for spiritually destitute parishes within it, would it not be more in harmony with their sacred functions than taking every occasion that presents itself to persuade the people of this kingdom, that if the State did not make spiritual provision for the rural districts, nobody else would? My conviction, on the contrary, is, that the disappearance of State endowments would be instantly followed by a rush of voluntary efforts to fill up the vacuum. Depend upon it, that faith in Christianity is not yet at so low an ebb in this country as to suffer a single village community to remain destitute of the means of religious instruction and Divine worship. It would not be for lack of means, or of liberality, that a deficiency of spiritual provision could befall our villages—it would be, if at all, merely for want of proper organization. In conclusion, Sir, I implore the House not to look upon the question I have so inadequately brought under its consideration as one of merely speculative interest, and not of serious practical importance. It may appear so to superficial observation just at this moment. But, Sir, it is neither rampant Radicalism nor sectarian fanaticism, but conservative prudence, which counsels us to profit betimes by the lamentable occurrences which we are witnessing abroad. The same causes out of which sprang the political tornado which is devastating unhappy France exist in this country, though in a more latent form. The cloud no bigger than a man's hand is visible on the horizon. It may be some years hence, or it may be sooner than we think, that a stormy conflict of principles relating to social matters will darken and trouble the political atmosphere; but, Sir, it does seem morally certain that through that ordeal which will try the strength of our national institutions to their very foundations we, as well as continental nations, are destined to pass. The worst thing I wish for the Established Churches of Great Britain is, that before that time comes they may be safely moored out of the reach of political billows, and beyond the ordinary sweep of political passions. I would have all branches of the Church, which, after all, are united in the same root, fulfilling in that day those functions which are best adapted to exalt men's motives, moderate their aims, soothe exasperation, and tone down popular clamour. And I fear, Sir, I greatly fear, that no Church will be in a fair position to do society this priceless service, which leans, either for her influence or maintenance, upon political support. The first forked flashes of revolutionary fire are sure to be attracted, and always have been attracted, by political Churches. I would fain see them all rescued from that danger. In their proper and divinely-appointed sphere, they are more likely to be out of the way of man's wrath, and will be better qualified to win man's respect and affection. Sir, it is with a simple view to these great and beneficient results that I now move the Resolution which stands on the Paper in my name.

MR. J. D. LEWIS said, he rose very briefly to second the proposition of his hon. Friend the Member for Bradford (Mr. Miall). He did so at the request of his hon. Friend, and he thought he was right in saying that the reason why the request was made to him was because he was not connected with any Nonconformist Body, but was a member of the Church of England. The present question was not one between the Church and the people, but between those who, whether they were Episcopalians or not, were in favour of the voluntary principle. Piles of extracts might be read from the speeches of colonial Bishops, and from the sermons, Charges, and speeches of eminent men in the Church at home, all of which tended to show that there was a large and increasing number of Churchmen who looked upon the severance of Church and State without dismay. He would not trouble the House with a great number of extracts, but he would give them a few lines which a day or two ago he copied from the speech of a Minister of the Crown, the Under Secretary for India (Mr. Grant Duff), who said—

> "There must eventually be a separation between Church and State. The whole stream of opinion had a tendency in that direction. Men were feeling every day more and more that the question of their relations with the Infinite must be settled by their own hearts and consciences, and not by State machinery."

The hon. Gentleman who uttered those expressions was with them at heart, however much he might now endeavour to withhold his support from the Motion. His hon. Friend the Member for Bradford had done the House one service, and that was that he had said very much better than he (Mr. Lewis) could hope to do, everything that had ever come into his head on the subject under consideration; but he thought that the one great objection to the Church Establishment was that it was originally based upon a foundation and condition of ideas which had since been entirely swept away. The idea which underlay the foundation of the Church — and they could not be astonished at it, considering the epoch in which it originated—was that the State had a right to dictate to every man his religious views and opinions. But that had now completely passed into exploded fallacy—repeal of tests, the admission of Roman Catholics and Jews into Parliament, and, lastly, the disestablishment of the Irish Church, having tended to that consummation. That idea having been given up was supplemented by another, which was that the State was bound to profess a religion. That, however, was a question which, however ready he might be to do so out of the House, he would not like to argue in the House, but it would be well understood how exhausted the question was. If the idea on which the Church was originally founded had been changed, so also had the condition of the country entirely changed. In the days of the Tudors there were only two great cities—London and Bristol. The consequence was that the revenues of the Church were divided between the Bishops and the parochial clergy, and no provision whatever was made for the rise of the large centres of manufacture such as Sheffield and Leeds, and the town populations, which in Lancashire alone amounted to upwards of 2,000,000. In these places everything had been done by voluntary efforts. The Church, it must be admitted, therefore, had undergone a change such as was certainly not contemplated by its founders. It was reconstituted in the early period of Elizabeth's reign as a bulwark against Popery. He was sorry even to allude to such a subject in a House in which he believed there were 37 Roman Catholics, including one Minister and one ex-Minister; but the fault was not in him, but in the system which admitted persons of all sects into Parliament, and at the same time pledged the country to one particular creed. He asked whether it was not perfectly clear that the Church had been for a long time not so much a bulwark against Roman Catholicism as a nursery for the Church of Rome? ["No!"] He knew perfectly well that every now and then stray clergymen who went a little beyond the mark in gesture were pulled before the tribunal created to deal with such offences. But how were they to suppose that Bishops would bring clergymen before the tribunal, when they found in existence such publications as *The Sunday Friend*, which had been extensively circulated in the district in which he resided, and to which the name of the Bishop of Winchester was appended, advocating the real presence in the Eucharist, forgiveness of sins, intercession with the saints, and the confessional? Could it be expected that Protestantism would spread and prosper when men such as the Bishop of Winchester devoted their whole energies for the propagation of a religion which they were paid to controvert? He asked what would have been thought of country magistrates who, though certainly bound to obey the same laws, declined to convict the poachers when brought before them. The hon. Member for Leicester (Mr. P. A. Taylor) would say if such an instance came under his cognizance, that much as he detested game laws, it was the duty of the constituted authorities to enforce them. That bore upon the question under consideration in this way, that if the Church were disestablished and disendowed, the people themselves would have a voice in the choice of their Bishops; and he thought the best protection for the laity would be to give them complete control over their funds by which their Church was maintained. We were approaching a time which, if not absolutely troublous, would require the greatest attention. There was a class of people—though he hardly liked to use the word class—who had the awkward, and some would say the ugly, habit of looking after everything, and making themseves heard at the polling-booth. With them it did not do to say that an institution was good because it had existed a long time. They would say that was a reason why it should be unacceptable in the present day. They saw a vast organization involving—whatever else it might involve—the special patronage of the law with its spiritual Lords, and enjoying revenues amounting to something like one-tenth of the taxation of the whole country, and yet followed, his hon. Friend (Mr. Miall) said, by about one-half, but he thought about two-fifths of the whole population. It did seem to him that if troublous times ever did come, such enormous institutions might be made, not so much a safeguard for order as an occasion for violence, and he should be only too glad to set religiously to work, and to deal with the matter fairly, in order to remove the possibility of future danger by depriving the Church of its ascendancy, which he maintained was not justified by the altered character of the times.

Motion made, and Question proposed,

"That it is expedient, at the earliest practicable period, to apply the policy initiated by the disestablishment of the Irish Church, by the Act of 1869, to the other Churches established by Law in the United Kingdom."—(*Mr. Miall.*)

Mr. BRUCE: I am sorry to stand between the House and the observations of my hon. and learned Friend (Sir Roundell Palmer); but I could not think that a Motion of so much importance, and which has been submitted to the House with so much ability and moderation, should be allowed to pass without some Member of the Government rising to state in what manner, according to the opinion of that Government, such a Motion should be received by the House. It is at all times a delicate and a difficult question to deal with; but the tone and manner in which it has been dealt with by my hon. Friend (Mr. Miall) has lifted it out of the angry region of party and sectarian warfare into those serener regions where I hope it will be allowed to remain, and discuss the matter, not with respect to sectarian opinions, but with reference to what is believed to be the lasting and permanent interests of the country. The Motion has to be dealt with in two ways—first, with regard to its opportuneness;

and, secondly, with reference to its subject-matter. Nothing could be more modest or reasonable than the position taken up by my hon. Friend. He said, in substance—"I do not bring forward this Motion in the hope that it will be carried." He did not say that public opinion was so far advanced upon the subject that the House could deal with it. He put it on lower ground, saying that changes had taken place in public opinion with regard to Church Establishments, and that the peculiar circumstances of the time and country rendered it expedient that Parliament should look to the future, and set the House in order in tranquil times. I do not know whether he means to press for a division, or to be satisfied with the discussion to which his Motion has given rise; but in either case the subject may be looked upon as a perfectly novel one; for I entirely deny his inference that Government, in dealing with the Irish Church, intended to lay down any principle of future action with regard to the Church of England. The Irish Church Establishment was abolished for exceptional and special reasons. Its origin was entirely different to that of the English and Scotch Churches. No one could say with regard to either of them that at the time of their foundation they did not meet the wishes and feelings of the great majority of the people; whereas the Irish Church at its establishment did not reflect the views and opinions of the large majority of the Irish people. The Irish Church was established and maintained by force, and it was looked upon by the great majority of the people of Ireland as a symbol of conquest and a badge of inferiority. It was, therefore, held by Government and by Parliament impossible to make any successful efforts against Irish disaffection, without in the first instance abolishing a Church which was not in accordance with the belief of the great majority of the people. I do not say its disestablishment would not have been justified on reasons altogether different; but for reasons of State policy and other reasons the Government undertook the arduous task, which they carried to successful issue in 1869, but in the other two countries the circumstances were different. There is no feeling of popular indignation, or, so far as I know, of positive anger existing in reference to the continuance of these two Establishments. There are hon. Members in this House from Scotland who are known to belong to a body opposed to the existence of an Established Church in Scotland; but they have never attempted to bring forward a Motion for the disestablishment of the Established Church in Scotland. Not many years since the Church of Scotland was rent in twain, and it might be a question now whether the Established Church in that country belonged to the majority of the population or not. But Scotchmen are prudent people; they are slow to move, but strenuous in action when they do move; and although the continuance of the Established Church in that country is receiving careful consideration in some parts of Scotland, no movement has been made; but they will, no doubt, wait until the wish of the majority in that country is in favour of disestablishment. With respect to England, the subject is still less mature; and although the subject has been mooted by a society containing members of great ability it has not attracted anything like national attention, for it is a subject not in any way connected with the historical associations of Nonconformists, or with any deep-rooted feelings on their part. The Puritans did not oppose an Established Church. We know that they did not. Their objections were limited to certain forms and ceremonies; but they raised no voice against the institution of an Establishment. Nor again, in the times of the Stuarts, when the Constitution of the country was altered, no doubt was entertained by the dominant party of the advantages of a national religion. We all remember Milton's saying—"New Presbyter is but old priest writ large;" and we know that the Presbyterians had as decided an opinion of the duty of the State to interfere with matters of religion, and to control and foster religion as the Anglican Church. All through last Session the great Liberal party joined the Nonconformists in removing many of those grievances of which they justly complained. I know of no cry which was the source of so much strength to the Liberal party as that of civil and religious liberty. They fought together side by side, and no doubt the Liberal party is very much indebted to the Nonconformists for the measures that have been passed to secure that object. But during that time it was never put forward as a principle of civil and religious liberty that the Church should be disestablished. There were certain grievances, certain inequalities to be redressed, and the Liberal party has steadily proceeded in that work. My hon. Friend opened his speech to-day by an allusion to the statement made by an hon. Gentleman who not only has the respect of this House, but who enjoys in the highest degree the confidence and respect of the Nonconformists of the country—I mean the hon. Member for Bristol (Mr. Morley)—that there were but two grievances of which the Dissenters complained to be removed, and they had reference to the laws with respect to burials and the laws with respect to the admission of Dissenters to the Universities. Those questions are before Parliament, and as far as the House is concerned the Nonconformists cannot complain of any want of sympathy with their views on those subjects. It does not, of course, follow that because up to this time the Nonconformists have not agitated the present question, it is not worthy of the consideration of Parliament. It is impossible, indeed, for any fair-minded man to deny that there is much truth in a great number of the statements made by the hon. Member for Bradford with regard to the unsatisfactory performance of its duties by the Established Church of this country. He had an easy task when he undertook to show how much the Church in its performance fell short of the theory on which it was founded. It was once in fact as well as in theory the Church of the whole kingdom. In laying down an universal system, and undertaking to guide the people, it did no more than it was entitled to do; but from some cause or other connected, no doubt, with the failings and shortcomings of the Establishment itself, a very large portion of the community have become alienated from the Church, and have formed themselves into Churches of their own. They have no doubt performed a large part of the duty of keeping alive the spirit of religion in the country, and my hon. Friend is justified in saying that if you abstract from the work of religion done in this country the contributions of the Nonconformists and the Roman Catholics, it would appear that the Church has fallen far short of what she undertook to do. That cannot be denied; but the practical question we have to decide is, are we prepared for that reason to pass a Resolution which shall bind the House to undertake legislation in this matter? The acceptance of my hon. Friend's Resolution implies nothing less. I think that no Government would be justified in undertaking such a measure in the present state of public opinion. Just conceive the difficulties. It is impossible to predict how many Governments would succeed one another, and what convulsions would take place before the question could be settled. The calmness with which my hon. Friend has made his statement will find no echo throughout the country. My hon. Friend knows well that the discussion of this question must lead to bitterness and to hostility, and though its ultimate effect might be peace and tranquillity, he knows as well as anyone that that peace and harmony could only be acquired by years of bitter contest. No Government would be justified in entering upon such a contest without the assurance of success. [*Ironical cheers.*] I speak without reference to this Government or any other; but I say no Government of this country would be justified in entering upon a question of such enormous consequence without the assurance of success. It is the business of private Members of this House to ventilate these questions, to put them before the public to ascertain public opinion—it is the business of the Government to take them up only when the state of public opinion justifies legislation. In my opinion there is no desire on the part of the public that this should be undertaken. They are conscious of many shortcomings on the part of the Church; but they are also conscious of many great works undertaken by the Church, and my conviction is that in the opinion of the majority of the people of England the work would not be as efficiently done were the Church disestablished. Although the Church may be viewed with jealousy and dislike by some, it is deeply rooted in the affections and respect of the great majority of the people of this country, and I believe they have very good reasons for entertaining those feelings towards it. It is not simply that a vast number of pious men full of kindness and prudence are providing a machinery of good, for that voluntary agency would provide, but the Church itself offers securities for freedom of conscience which at the moment cannot be predicted of any other religious Body whatever. I listened almost with astonishment to the statement of my hon. Friend, who at one moment told us that the Church had failed in her duty because of the dissensions and conflicts within the Church, and at another that she was so cramped and enslaved by the law that the progress of free thought was greatly restricted. My hon. Friend compared the progress of science with the progress of theology, and asked what would have been the progress of science if science had been bound by statutes and Acts of Parliament. The two things are not analogous. Science is essentially progressive. Science is always expanding; and however long the world may last, we may fairly assume that the end of science will never be reached. But theology is, in its very nature and essence, stationary. The relations of man to God remain now as they were 6,000 years ago. Its problems may exercise the ingenuity of men of various degrees of intellect; but the solution of them will probably differ but little from that which has from time to time been delivered by the gifted men of any one particular period. But when my hon. Friend speaks of the Church of England as cramping the free discussion of religious questions, does he mean to say that free thought and the discussion of religious matters are more rare in the Church of England than in other religious Bodies? Does he mean to say that men in any given Christian denomination outside the Church would be allowed to maintain principles so divergent as those maintained by the distinguished leaders of opposite faiths in the Church of England, and yet remain a member of that Body? [*Cheers.*] I understand that cheer; but I maintain that in a free country like ours, and in an age of speculation such as the present, liberty like that to which I have just adverted is a great advantage. Bossuet, as is well known, came to a conclusion as to the falsehood of the Protestant faith, because of the great variety of views entertained by its members; while Milton, on the other hand, in one of the noblest passages in English prose, took credit for the earnestness and fidelity of that religion as exhibited by the outcome of various sects and denominations manifesting itself in the most terrible times. Why should not that which is true of the whole Christian Church be true of the Established Church? The less narrow and arbitrary your restrictions are the better, and I think it will always be one of the glories and recommendations of the Church of England that she admits within her limits men of such varied intellect and such varied opinions, and exercises her restrictions only in extreme cases. My hon. Friend, while acknowledging that the Church of England has done much good, says there is no proof that that good would not be done were the Church disestablished. It is very difficult to meet an argument of that sort. We cannot say that if the Constitution of this country were changed by substituting a Republic for a Monarchy, that the people would not prosper, that wealth would not be gained, that literature would not be cultivated, and that we should cease to be a great country; but we are not prepared to enter upon such a change as this unless strong reasons can be shown, and great advantage is to be obtained. I am not prepared by abstract arguments to defend establishments. We know that our Colonies, our children wherever they have planted themselves, have contrived to keep their religion without establishment, and throughout Europe and throughout the civilized world the tendency has been to connect less and less closely the State with the Church, though it is difficult to point out any State of Europe of any considerable magnitude in which the Church has been dissociated from the State. Such, however, is undoubtedly the tendency of human thought and progress. I should, therefore, be the last to hold the abstract proposition that the Church of England ought to be maintained because she is the Church of England. She can only be maintained and her existence justified so long as she can point to her own good works. It is because she is doing work that would be difficult to replace, and because there is, on the part of a great majority of the people, a deep-rooted feeling for the Establishment, that I cannot accede to my hon. Friend's Motion. I am far from complaining that he has introduced this important subject to our discussion. It is well that those who take an interest in the Church should be recalled to that which is her sole basis—namely, the opinion in which she is held by the great majority of the people. At the same time, as prudent men, we must decline to make changes the result of which we cannot foresee to be good, or at any rate to undertake changes which may only plunge us into great and profitless controversy.

SIR ROUNDELL PALMER: Mr. Speaker—I am very happy to state my entire agreement with that part of the speech of my right hon. Friend (Mr. Bruce) which did justice to the tone and spirit in which this question was introduced to the House by the hon. Member for Bradford (Mr. Miall). I think, from the point of view in which he approached the subject, nothing could be more worthy of the dignity of the question, or of his own convictions, or more consistent with the respect which I have no doubt he entertains for the convictions of others, than the whole temper and manner of his speech. Nor do I deny that such a subject, when we see it canvassed out-of-doors, may properly, by those who hold the opinions of the hon. Member, be brought under the notice of the House. I deeply regret that there should appear to be any cause for its introduction to our consideration. I would far rather have preferred that the general feeling of the country, such as I believe it to be, should be so well understood and acquiesced in, as to make it unnecessary to consider the matter. But when we see considerable bodies connected—I will not call them with agitations, for that is a word that might not be acceptable—but with movements out-of-doors for the purpose of influencing public opinion on this subject, and when we see also within the Church itself some, who, under the influence of what I hope may prove to be temporary irritation and excitement, appear to give some countenance to the same views, I cannot pretend to deny that the time has arrived at which it is natural, and perhaps unavoidable, that the question should be brought under our attention.

There are some points of really great moment, on which I believe myself to be at one with the hon. Member for Bradford. I quite agree with him in thinking that the religious aspect of this matter is the most important, although it is one which, neither on the one side nor on the other, can be directly dwelt upon in this House. I further entirely agree with him in some of the main principles which evidently actuated his mind, though I wholly differ from him in their application. I quite agree with the hon. Member that no State authority ought to interfere with any man's religious belief. If in any past time such an opinion was entertained, we are happy to live at a period at which it has long since passed away. If such a principle were really involved in the maintenance of an Established Church, I should probably have been found in company with the hon. Member. But I disclaim utterly the notion of being a member of a mere political Church. I believe, with the hon. Member, that a Church merely created by the State is a thing impossible for this nation. The Church, were it not as truly and really a religious society, held together by religious bonds, depending upon religious faith and religious convictions, as it is a society in possession of certain temporal advantages, neither could stand, nor, in my opinion, would it be worthy to stand. But being, and having always been, truly a religious society, resting upon the basis of religious belief, religious doctrine, and religious worship, and there being in its present relations with the State as really and truly a recognition of the spiritual character of the Church as of the temporal authority of the State—all their mutual relations being embodied in the solemn compacts of Acts of Parliament, or other public acts, on the one hand, and Church formularies on the other — as long as the Church maintains its vitality, as long as it exercises its powers as much for the general public benefit as it now does, and is as acceptable and useful to the people as it is, so long I trust and hope that neither on its own side will it be ready to give up the means of doing good which it possesses through its relations with the State, for the sake of any supposed advantage arising from greater independence in some respects, nor, on the other hand, that the State, for the sake of giving effect to theoretical arguments, and removing discontents founded upon those arguments, will deprive itself of one of the most valuable allies for all purposes of good government and well-doing throughout the country, which, in my belief, ever has existed in any nation of the world.

Now, I will endeavour briefly to follow the course of argument of the hon. Member. The first article of his indictment against the Established Church was that it had failed in the two points, of not attaining to the universality which it professed, and of not accomplishing the unity of belief which it was supposed to require. With regard to the profession of universality, that was evidently founded upon false and impossible principles, arising from ideas entertained in past times. So far from feeling that the Church in that respect, viewed rightly and truly, has failed in its intended mission, I maintain that it could in no other way whatever, than under the influence of those principles of liberty which have put an end to the notion of coercion by the State, have attained to that approximation to universality—and a very high degree of approach to universality I take it to be—in its beneficent operations, to which it really has attained. The hon. Gentleman himself bore testimony to the elasticity and power of expansion which were manifest in the Church, notwithstanding its connection with the State. He said that it would continue to live and be powerful, although it might be deprived of the advantages of State connection; and he pointed to all the great things which had been done by the private liberality and bounty of members of the Church of late years, to the large sums raised to build and endow churches and schools in town and country, and to everything else which showed signs of a vigorous life. By these means the influence of the Church has been maintained and extended from year to year and from day to day. And that influence is being maintained and extended more and more, over a portion of the population, greater beyond all comparison than any other religious Body in the country pretends to reach. I do not pretend, any more than the hon. Member, to give the exact statistics; but we all know we are not very far from the truth, when we say that the professed members of the Church number at least as many as the professed members of all other religious Bodies put together. But does the influence of the Church stop with those who are directly conscious of it? Its influence upon those whom it reaches directly, is far more valuable and real than it ever could have been under the old conception of a church made universal throughout the nation, by laws requiring every citizen to be a member of it: and it extends indirectly to large numbers, whose minds would always have revolted against that system. I say confidently that the Dissenters themselves are affected for good by its influence. The hon. Gentleman has so fair and candid a mind that I am persuaded he thinks so. I am sure he would be ready to admit that the Church, doing so much, with so much zeal and energy, has given a powerful stimulus to the energies of the Dissenters to work side by side with her in the different parts of the country. The high education, tone, and character of the clergy of the Established Church have told not disadvantageously upon all who are endeavouring to supplement the work of the Church. I do not attribute very much to external things, and yet they are indications of what is going on within, and of the action and re-action and influence of different bodies on each other. I go through a town, and I ask—"What is that beautiful church which I see erected there?" It is a work of architecture on which great sums have been expended; it has spires reaching to Heaven. I am told that this church has been erected by the bounty of some eminent Nonconformist. It is a Nonconformist church, the architecture of which is very like ours. I am told that although they do not confine themselves to any liturgy, there are not a few Churches of the Dissenting Bodies in this country that, to a great extent, are indebted to the beautiful liturgy of the Church of England. I believe that there is very much community of feeling between the most enlightened and best men on both sides, for the tendency of time, as it goes on, in spite of all these political agitations, is to bring them more together.

Then, as to the working classes, I cannot at all believe what was said by the hon. Gentleman as to the relation of the working classes to the Church of England. In the first place, he did not appear to me sufficiently to distinguish between the position of the working classes in the towns and the working classes in the country. With regard to the working classes in the country I believe, speaking generally, they are members of the Church, and through the Church they are partakers of benefits of every description, spiritual, moral, and even temporal. I think there is much "sweetness and light" even among those labouring poor to whom the hon. Member referred. The best light is that which is the light of life, which makes men contented, virtuous, and happy in the position of life which they occupy, especially if that position be humble, without many superfluities or any excess of comforts. If so, then I venture to say, that those who know the rural districts of this country will bear testimony to the existence of multitudes upon multitudes of poor people, who have in them both sweetness and light. There is among them an abundance of those virtues which I honour, and which I wish were always to be found in an equal degree in the classes above them. I do not wish to speak against any class; but I must say that the class of all others which has attracted my sympathies, according to the opportunities I have had of observing them, is the class of the poor, and not least of the rural poor. I cannot imagine any institution to which this character of the labouring poor, so far as it really prevails among them, is due, more than to that which has placed in the centre of the population of every parish in the country a man educated and intelligent, whose business it is to do them good, whose whole and sole business is to take care of their souls as far, as by God's help he is enabled to do so, and in every other way, in all circumstances of life, to be their friend and counsellor. In proportion as he does that work he does a thing of inestimable value. Of course it is very imperfectly performed, even by the best men: of course there are many among the clergy who do not rise, as nearly as they ought, to the height of such a calling; but it is not the less true of the parochial clergy, taken as a whole, that they do this work, in a degree, and to an extent, which is of inestimable value. There may be other means by which the condition of the poor may be, and ought to be, improved; but nothing is more certain than that, as a class, they will never cease out of the land; and nothing could ever supply to them the want of such benefits as these. It is true, that, if we had not that institution, we could not now create it. But of all the institutions which we have inherited from our ancestors, those may be even the most valuable, which we could not replace with anything equally good if they were destroyed. We are not going to tear society up by the roots, and destroy everything which has grown with our growth, because we could not now create it if we had to begin all afresh. This great institution does a work of inestimable value over the whole land and in every part of society. My hon. Friend—I think I may be at liberty to call him so—wishes for certain theoretical reasons to destroy the whole of the immense machinery by which all this good is done. He says we ought to destroy it, and trust to the future to supply its place. For my own part I am not willing to run any such risk:—not because I suppose that if the Church were disestablished, the means of which it would thereby be deprived would not to a large extent be supplied. But that would be a work of difficulty and time; and in many places, especially the most destitute, it might be very insufficiently done, or not done at all. It is not an encouraging thing to pull down the accumulated results of the liberality of past ages, and then expect private liberality to build up the edifice again, and supply the void.

I have spoken, so far, principally of the working classes in the country. As to the towns, it is perfectly true that from the enormous increase and aggregation of the population in our large towns neither Dissenters nor Churchmen can overtake the want of spiritual instruction: but I do believe this, that the Church is overtaking it much faster than the Dissenters; and that, not through any want of zeal on the part of Dissenters, but through the intrinsic advantages which the Church system possesses. The organization of the Church system gives more means and opportunities of overtaking the very poor, who can do nothing for themselves, than any other system which yet has existed. The Bishop of London's Fund has been doing a great deal, under three successive Prelates, towards overtaking the wants of the Metropolis; and it is so not only in the Metropolis, but everywhere else. On behalf, therefore, of the poor, on behalf of the working classes, both in town and country, I protest against our sacrificing to theoretical arguments so priceless an institution as the Church, which is really their inheritance.

With respect to unity of belief, the hon. Gentleman said that formerly all people in this country, and the clergy still, were required to have one belief; and that this was as unreasonable as to attempt to restrain scientific inquiry by law. And then he founded part of his argument in favour of disestablishment on the differences on religious questions actually prevailing among the members of the Established Church. Now, I believe that the natural tendency, and the general operation, of the system of an Established Church is to widen, rather than to narrow, those standards of doctrine which are indispensable in all churches; and to increase, instead of unduly restraining, liberality of judgment and honest freedom of thought among the clergy. I do not believe that there is any other religious Body in the country which allows to its ministers so much individual liberty as is allowed by the Established Church, or which does not more jealously call themto account in matters of doctrine and worship. Whether such restraints upon liberty of thought among the clergy are good or evil, they would be greater, and not less, than they are at present, if the Church were disestablished: our liberty in this respect is, if anything, somewhat in excess. All Churches recognize and insist upon the principle of unity in what they consider necessary points of belief. To compare religion and its progress with the growth and advance of scientific truth is, to my mind, to use an illustration not at all apposite. Science is a system of inquiry founded upon observation of phenomena, as to which results have been accumulated in the past, and progress is being made continually; but that is not so in regard to religious truth. I am far from saying that in religion advancement and improvement are not possible; but I do say that you cannot make new discoveries in religion—that the tendency of such progress as is actually made will rather be to correct what was in past times supposed to be scientific theology, than to construct new scientific theology for the future. It has been said that religion came from one source, and theology from another; and, though I cannot adopt that statement, I suppose the meaning of it is, that in what is called theology there are many inventions of human science, falsely so called, which are obstacles, and not helps, to the simplicity and purity of religion. That being admitted, is it not the province of the human intellect to seek and find its highest and noblest field of labour in removing from religion the incrustations of false science in past times, rather than in attempting to invent new religions for the future? For another reason the analogy does not hold. You do not found Churches of scientific men; but it is in the nature of religion to form aggregate Churches, with laws and systems of doctrine, which they enforce, upon their members with more rather than less strictness, in the case of Churches which are not established.

Coming now to the argument from justice, I cannot adopt the idea of the hon. Member, who seems to suppose that no State institution intended for the public good can be just, which everybody does not equally participate in. I do not know where that doctrine would land us, and I would rather not inquire; because such views, if adopted, would soon involve other institutions as well as the Church, and inevitably lead us into communism, or some other system of the kind. I have lately seen a serious argument, founded on the latest developments of this levelling idea of justice, which looks forward to the time when there will be no nations, Kings, Parliaments, elections, or anything of the kind, but the men best suited to govern are in some inscrutable manner to find their way to the top of society, and to take their proper place. Such views are, of course, entirely impracticable, and the attempt to put them in force would involve universal confusion, which means universal injustice. In what, after all, does the supposed injustice of the Established Church consist? It is simply that a body, consisting of the largest portion of the community, should remain in possession of property which, for public purposes, it has had possession of for centuries; while those, who do not participate in the benefit derived from the property, fail to do so simply from their own choice. I should be very glad, as a member of the body which is in possession, if those who so decline would make up their minds to become participators; but it is too much that they should wish to deprive others of what they do not want and would not have themselves. It is quite clear that concurrent endowment is not the object of those who do not like to see the Church in possession of this property. But I should be sorry to base the arguments against the proposition solely upon the ground of property; and it is evident to me, that this is not any very real or substantial part of the motives of those who propose it.

My hon. Friend said he did not like to put this question upon a sectarian basis; but, in my opinion, it is undeniable that the rivalry of different denominations is at the bottom of all this movement. It is not that they really feel that injustice is done to them on any point connected with property; the basis of this part of their argument is in what they call ascendency. But the Church has no longer any ascendency in point of civil rights or privileges; and there is no injustice in any pre-eminence over other religious Bodies due to her numbers, her moral influence, and her ancient historical position: all which would remain, and continue—whether in an equal or in a diminished degree—to produce similar effects, although she might be disestablished. Nor can there be any injustice in the continuance, to a Church occupying such a historical and moral position, of the public incidents involved in Establishment for the public good.

I have now to say a few words on the suggestions that have been made in regard to social discords. I suppose the hon. Gentleman thinks there would be less discord if the Church were disestablished; but I cannot think he was happy in his illustration derived from the Parliamentary proceedings of last year. I cannot for a moment imagine that if the Church had been disestablished we should have come more easily to accord upon the education question. Supposing the Church had been disestablished at the time, there would have remained the broad division between that part of the people of the country, who make it a principle to have religion as an element in education, and the Secularists, who would prefer that religion should be eliminated altogether. That distinction would still have remained, for it does not depend upon the existence of an Established Church, and therefore the difficulty in regard to education would have remained as great as ever. Further, let me once more remind hon. Gentlemen who share the opinions of the hon. Member for Bradford, that they would not get rid of the Church of England by disestablishing it. So far from its being less energetic in the assertion of its claims, it would, in my opinion, be more energetic, and, perhaps, more powerful than ever in asserting such claims as it put forward last year when demanding a recognition of the religious element in the Education Bill. I do not mean that the Church would be either more or less zealous in good works; but rather that, being entirely emancipated from the control of the State and enjoying perfect independence of action, the tendency to sharp conflict of opinion between the Church and Dissent would be infinitely greater than under the present system. One effect of the existing state of things, to use a familiar phrase in a manner, I hope, not at all derogatory to religion, is that the Church is bound over to keep the peace; and this I hold to be advantageous; for it is always desirable that asperity of feeling between religious Bodies should be checked as much as possible, consistently with zeal and sincerity in the belief of religious truth by those Bodies. One of the advantages, therefore, of the union which subsists between Church and State is, that it gives to the former inducements to deal with many matters in a more liberal and conciliatory spirit, than could be relied upon if the relations between the two were different.

I must not omit to add a few words upon the internal differences and the growing impatience of legal control, which recent events are said to have shown to exist within the Church. I am sorry that any discord should exist anywhere, and the divisions of opinion now under consideration are certainly not unimportant; but they possess the compensating and preponderating advantage that they are indications, and in part even causes, of increased life and activity, which communicates itself with advantage to the religious life of the whole community—those more extreme forms of opinion to which the hon. Member referred only prevailing, in my opinion, among a small section of the Body; the majority remaining, on the whole, faithful to the general platform of the Church to which they belong. To those who are impatient of legal control, I would take the liberty of saying that it is utterly impossible for any Church, whether established or not, to rid itself entirely of such control. It is somewhat strange, I must say, to hear that pronounced to be intolerable in 1871 which was found necessary even before, and certainly ever since the Reformation. From the Reformation down to the present time the Church has had its laws confirmed by Acts of Parliament, and its tribunals subject to an appeal to Judges nominated by the Crown. The Judicial Committee of the Privy Council is neither more nor less a secular and civil tribunal than the old Commissions of Delegates. How would it be possible for a Church having its uniformity secured by Act of Parliament, and having the obligations of its ministers sanctioned by Acts of Parliament, to be carried on otherwise than under the supremacy of the law as administered in the Courts of the Crown? It has been so from the time of the Reformation downwards, and if the Church were disestablished now it must be so still. I do not mean in all the circumstances of the case; but in principle it would be exactly the same. As long as Churches have property, you cannot, by any possibility, prevent disputes about the terms on which it shall be held. And it has been my lot to be concerned professionally in settling the differences of a voluntary religious Body—the respectable Body of Congregationalists, commonly called Baptists—upon what one might presume to be a rather critical point of their system—namely, whether or not baptism was necessary to justify a Baptist minister in treating a person as a communicant; and the Court of Chancery decided that it was not. I believe the Court decided in a manner which has been acquiesced in ever since, that baptism is not indispensable among the Baptists. I do not in the least degree mean to imply anything theological; it would be most unbecoming in me to do so; what I meant was that among Nonconformists as in the Church of England, there are different parties, some thinking one thing and some another; they do not agree as to whether a particular thing is necessary or right to be done or held by the minister. And then the question arises, whether the minister, differing from some of his congregation on a given point, has a right to hold the pulpit and continue his ministration in that church; accordingly they come to the Court of Chancery to decide that question; and so should we have to act if we were disestablished now. Let no man delude himself with the idea that, as long as men are citizens of the State, and carry on the services of religion by the use of temporal means, they can escape from the obligation of being governed by the laws of the land. The laws of the land cannot impose upon any persons the necessity of believing one doctrine or the other; if the law of the land rules questions, in which they as members of a particular Church are concerned, contrary to their consciences, they, of course, may either acquiesce, or leave that Church; but they never can by any possibility escape from the necessity of submitting to some control on the part of the law. And, with reference to those clergy who have been made uneasy because uniformity of ritual is enforced in a sense in which they did not expect, or in a manner more strict than they expected, I cannot but think that the great majority of them will agree, that the principle of obedience to law is of infinitely greater importance than any disputed form of ritual whatever, and, at all events, they must see that points of that sort when disputed, must go for interpretation to the law. Certainly it ought to be understood, that they cannot obtain absolute independence of the Civil Courts by means of disestablishment; and for my own part I think the effect of disestablishment would be, that most points in controversy would be ruled more strictly against minorities by the Legislative Assembly of a disestablished Church than, as a general rule, they are likely to be by the Courts of Law.

One word as to foreign dangers. I agree that we live in times when difficult and important public controversies are going on; but it seems to me that the circumstances of this country are very different from the circumstances of the foreign countries, to which the hon. Gentleman has referred. I cannot but think that we are still essentially the same people as we have been in former times, and that movements which would convulse some other countries, may, from our freer growth of liberty, be settled by us without the dangers which the hon. Gentleman has foreshadowed. Certainly, as far as the suggestion goes, that if such dangers were to arise the Established Church would be the first institution to be overcome by them, I am not quite sure that anything much worse would be likely to happen to her under those circumstances, than what the hon. Member wishes to do to her now. I cannot refrain from making a quotation from Cowper, which I have made before in this House, embodying some very similar advice—

> "I hold it therefore wisest and most fit
> That, life to save, we leap into the pit."

Certainly, it is a ludicrous suggestion, that, in order to avoid the dangers which may occur if these difficulties arise, we should have a revolution in advance, and, therefore, disestablish the Church. In the view I take of the effect and usefulness of the Established Church, it is one of our great safeguards against all such dangers. I have seen what I believe to be an erroneous report of a speech of an hon. Friend of mine (Mr. Auberon Herbert), in which he is represented to have said that nothing was or ought to be sacred to an English Liberal. I do not suppose there is any Liberal on this side of the House who will adopt that sentiment, nor can I believe that it ever fell from the lips of my hon. Friend; I hope we shall never see the time when such a sentiment will rule any English party. But, in reality, I do not think there would be much difference between the hon. Mover of this question and myself upon this point — that as property is the material, so religion is the moral bond of society. Of course, he thinks that moral bond would be stronger, and not weaker, if the Establishment were put an end to. I cannot see it in that light. One great and most vital means, by which that moral bond operates upon society at the present time in this country, is through the medium of the Established Church. I value the bond much too highly to be willing to run any unnecessary risk with reference to the means; and I cannot but think that, if our country were threatened by those political dangers, the dissociation of religion, represented by so powerful a Body as the Church, from its present connection with the whole of the institutions of the country, would deprive the State of much of the strength it now possesses to withstand that description of danger. I would conclude by using the words of a great man—Wordsworth —who was by no means a bigot, who, from the earliest period of his life was very strongly attached to the principles of Justice and Freedom, a poet of large and liberal mind, and join him in the expression of his patriotic wish—

> "Hail to the State of England! and conjoin
> With this a salutation as devout,
> Made to the spiritual fabric of her Church!
> Founded in truth, by blood of martyrdom
> Cemented; by the hands of wisdom reared,
> In beauty of holiness, with ordered pomp,
> Decent and unreproved. The voice which greets
> The majesty of both shall pray for both,
> That, mutually protected and sustained,
> They may endure, long as the sea surrounds
> This favoured land or sunshine warms her soil."

MR. RICHARD: Sir, I am anxious to explain to the House a distinction which is drawn by Nonconformists between the Church of England as a religious institution and the Church of England as a political establishment. I can say with a clear conscience and unfaltering lip that I am not conscious of one particle of hostility to the Church in its former capacity. On the contrary, I acknowledge that as a religious institution she has many titles to gratitude and veneration. She has had a long and, in many respects, an illustrious history. Undoubtedly, in times past, she has rendered services of inestimable value to the cause of Christian and Protestant truth—services which, whether established or disestablished, I hope she may continue to render in all times to come, as I think she will if she is faithful to what I believe to be her truest principles and traditions. Her annals are adorned with a long succession of great and good men, who by their learned and eloquent writings have largely enriched our national language and literature, and from whose pages most of us—at least I must admit the obligation—have derived some of the purest nourishment for mind and heart. I honour with my whole heart the noble and devoted life led by many of her working clergy, who in this Metropolis and other large cities and towns have been diving down to the lowest abysses of society, to drag up those who were weltering there in ignorance and misery, into the light of a Divine life. I make these acknowledgments with no pang of sectarian jealousy, but with an open heart and cheerful voice. But what we have to do with to-night is not the merits or demerits of the Church of England as a religious institution, but her relation to the State. In that capacity, it will be admitted, and is in these days admitted by some of her best friends, that there are many shameful and dishonourable passages in her history. But these belong to her not as a branch of the Christian Church, but as a political establishment. In the interests of the Church itself we wish to see it separated from the State, for it seems to me impossible that the earnest friends of the Church can regard with satisfaction the position in which she is placed arising out of that connection. Look, for instance, at the relations she sustains to this House in her capacity as a State Church. My hon. Friend the Member for Devonport stated the other day in his speech on the Lectionary Bill, that last year we had before us 15 or 16 measures connected, more or less, with the Church, and some of them having reference to her most intimate internal arrangements. Let anyone look into the Tables of Lessons Bill. I own I was fairly shocked and scandalized when I examined it. For what do we find there? Why, we find a long list, consisting of many hundreds of passages of Scripture, which we, the Members of this House, if we pass this Bill, are to command the clergy of the Church of England to read on Sundays and holydays through the whole country. I believe, while that Bill is before us, it would be competent for any Member of this House to raise a debate upon any and every one of those lessons, and to discuss its suitableness and unsuitableness for purpose of religious edification. Can we conceive of anything less decent or becoming than a discussion of that nature in a House constituted as this is? It is inexplicable to me how members of the Church of England can bear it. I have tried to imagine how I should feel if the most sacred and spiritual affairs of the Church with which I am connected—questions relating to its doctrines, its discipline, its devotional offices and arrangements—were to be brought on the floor of this House to be tossed about in discussion here, and I feel that I should shrink from it with inexpressible repugnance. And no doubt that some members of the Church feel this. What did the right hon. Gentleman the Member for the University of Oxford say to us the other night? And I must say that I always listen to that right hon. Gentleman with the most sincere respect, not only on account of the high position he occupies in this House, and the great ability with which he addresses us, but because there is an accent of sincerity in all his utterances on these questions which I honour, for I like an earnest and consistent Churchman as I like an earnest and consistent Dissenter. It is evident that that right hon. Gentleman feels, as I described I should have felt, in the same circumstances. But what is his remedy? He appealed to considerable sections of this House—to the English Nonconformists, to the Members from Scotland, and the Members from Ireland—to abstain from discussing and voting upon these ecclesiastical questions, and leave them entirely in the hands of those who were members of the Church of England. But cannot the right hon. Gentleman see the absurdity and anomaly of the proposition he makes, that a considerable portion of the representatives of the people should absolutely abdicate their functions as legislators, in reference to a large class of measures, in order to save the Parliamentary Church from the embarrassment which arises from her connection with the State, which she nevertheless insists on maintaining? But I rise principally to present to the House one practical illustration of the working of the State Church, as seen in a part of our own country—I mean the Principality of Wales. What is the object of a Church Establishment? For what purpose is a certain body of men set apart, and have a distinctive official status and exclusive privileges assigned to them by the State, and are put in possession of large national endowments, secured by law, unless it be that they may become the religious instructors and guides of the people among whom they occupy this position? And if they fail in this—fail utterly and continuously and in reference to the overwhelming majority of the people—will the most strenuous defender of Church establishments tell me there is any further reason or justification for their existence? Well, that is the case in Wales. I know what is usually said by the defenders of that Church. It was substantially the argument used last Session by the Prime Minister in answering the speech of my hon. and learned Friend the Member for the Denbighshire Boroughs. It is said—No doubt about the beginning or middle of the last century, the Church fell into a sad condition in Wales. About that time the British Government began the practice of sending Englishmen to fill Welsh bishoprics, and the consequence was a time of religious deadness, neglect, and decay, which offered an occasion, and as some are candid enough to admit, some justification and excuse, for the rise and growth of Nonconformity. But they refer to a golden age preceding this state of things, when the Church in Wales, ruled by native Bishops, who understood the language, and commanded the confidence and veneration of the whole country, comprehended and cared for within her fold the whole population of Wales. But I am afraid this is a purely fancy picture, for at no time has the Church in Wales adequately cared for the religious interests of the people. No doubt the appointment of English Bishops to Welsh sees, and the necessary consequence which ensued—for the Bishops in turn deluged the Principality with English clergymen, to whom were assigned the highest dignities and the richest livings, though they were utterly ignorant of the language of the people among whom they dwelt, or rather among whom many of them did not dwell, but from whom they drew the means of luxurious living elsewhere—this, no doubt, was as monstrous an abuse as ever dishonoured the ecclesiastical administration of any country. In all respects, indeed, the Welsh Church has been scandalously treated for ages. Its revenues have been plundered, unqualified persons have been appointed to its highest offices, there has been a flagrantly corrupt exercise of patronage, native talent has been contemptuously overlooked. But by whom has this injustice been committed? Why, by that very power of the State, without whose patronage and protection some say it is impossible religion can exist in the land. But my contention in reference to the Welsh Church is this—that from the time it first came into existence as a Protestant Establishment until now, it has never fulfilled in anything approaching to a sufficient and satisfactory manner its professed function as the teacher of the Welsh nation. Let me ask the attention of the House to some proofs of this allegation. It will be admitted I suppose by all that the first duty of a Protestant Church is to provide for the people of whom it professes to take charge an adequate supply of the Bible in their own language. But how has the Church in Wales fulfilled its duty in this respect? Dr. Llewellyn, the learned author of the *History of the Welsh Bible*, says—

> "That for upwards of 70 years, from the settlement of the Reformation by Queen Elizabeth, for nearly 100 years from Britain's separation from the Church of Rome, there were no Bibles in Wales, but only in the cathedral or parish churches or chapels."

But how did the ecclesiastical authorities act in reference even to the translation of the Scriptures for use in the Churches? In the year 1563 an Act of Parliament was passed ordering this work to be done, and it was put in charge of the Bishops of St. Asaph, Bangor, St. David's, Llandaff, and Hereford, who were required to see the translation completed by the year 1566, under penalty of £40 each if it were not done. But what happened? Whatever became of the penalty, the Bible was not translated and published in Welsh for 25 years, and it was not then done by the Bishops or at their instigation, but by the piety and patriotism of a private individual, the Rev. W. Morgan, vicar of a small parish in Denbighshire, whose name deserves to be had, and is had, in honourable remembrance throughout the Principality. This edition was only for the churches. The first edition of the Bible for popular use was issued in 1630 by two private persons—Alderman Heylin and Sir Thomas Middleton, who resided in London, but were natives of the Principality. For the next half-century the Church provided only one edition, a large folio for use in the churches; but during the same period there were nine editions, consisting of 30,000 copies of the whole Bible and 40,000 of the New Testament, published by the Nonconformists. Indeed, I cannot find that the Church did anything to supply the people in Wales with Bibles until 1718, when there was an edition of 10,000 copies published by the Society for the Promotion of Christian Knowledge; so that for 160 years from the settlement of the Protestant Reformation, and for 145 years from the passing of the Act of Queen Elizabeth, the Church of England in Wales did absolutely nothing to provide the use of the Bible for the common people in the country. Well, Sir, and what did she do in other respects? Let us take the case of the churches she has provided for the instruction in religion of the people. In a pamphlet published some time ago by a clergyman, the Rev.

W. Morgan, he states the number of churches and chapels belonging to the Church of England in Bangor and St. Asaph. In 1560 the number was 318; in 1855 it was 366, showing an addition of only 48 churches in 295 years. He further states that during a period of 140 years—from 1715 to 1855—there was no increase at all, but a diminution of one church; for in 1715 the number was 367, in 1855 it was 366. But to come down to a later time, let us compare the provision made in Wales between the years 1801 and 1851 by the Church of England and by the various Nonconformist Bodies. In 1801 the number of Church of England sittings in North Wales was 99,216; of all other denominations 32,664. In fifty years the population increased from 252,765 to 412,114 persons, or about 63 per cent. To have kept up the ratio of sittings to population, the Church of England ought to have supplied 62,505 fresh sittings, whereas she did supply only 16,614; and the other denominations ought to have supplied 20,576, whereas they did supply 217,903. In other words, the Church of England fell short of her duty by 73 per cent, and the other denominations exceeded it by 960 per cent. In South Wales, in 1801, the Church of England had 133,514 sittings, the other denominations 82,443. The population increased from 288,892 to 593,607, or 105 per cent. The quota of additional sittings required from the Church was 140,854, but she provided only 15,204; whereas the other denominations, which ought to have provided only 86,275 additional sittings actually did provide 270,510, so that the Church of England fell short of her duty by 89 per cent, and the other denominations exceeded it by 211 per cent. Well, in the speech of the hon. and learned Member for Richmond, it was said that if the Church was severed from the State, the rural parishes would be in a state of utter spiritual destitution. But in the case of Wales, I have a completely satisfactory reply to that assertion. There, as I have shown, the country was neglected by the Church; but while the people were abandoned to ignorance, superstition, and vice, there arose a few earnest men who had been themselves, I must admit, members of the Church of England, but who were expelled from her on account of the excess of their zeal for the spiritual good of their fellow-countrymen. They therefore became Nonconformists, and on seeing the position of their countrymen, they set to work to provide the means of spiritual instruction for them; and I will venture to say that there is now a more perfect system for the religious instruction and worship of the poor Welsh people provided by themselves, out of their poverty, than in any other part of the United Kingdom, and perhaps in any other part of the world. Let me give one illustration from the county of Cardigan, represented by my hon. Friend on the left (Mr. Richards), and which is my native county. That is a purely agricultural county. In many parts of it the people are sparse and scattered and very poor. Well, from the religious Census of 1851, I take the registration districts of Cardigan, Newcastle-Emlyn, Lampeter, Aberayron, Aberystwyth, and Tregaron, comprising, I believe, the whole of my native county of Cardiganshire, with an aggregate population of 97,614. In this district, the number of sittings provided was 97·8 per cent on the population, of which the Church of England supplied 27·4, and the Dissenters 70·4 per cent. So that in that county, which is purely agricultural, and where the population in many parts is very sparse, and mostly very poor, you will find that by the operation of the voluntary principle they have provided this ample supply of the means of religious instruction and worship. I may be told that I am referring to evil days that have passed away as respects the Church in Wales, and that since then a great improvement has taken place. I admit it gladly. I admit that the three Bishops who have recently occupied three of the dioceses of Wales, although Englishmen—I omit the appointment recently made by the Prime Minister—have exerted themselves diligently to endeavour to infuse some degree of life into the Welsh Church. But, after all, what has been done? I will take the case of the diocese of Llandaff—it is the most favourable, and where the excellent Bishop has been indefatigable in his endeavours to do good, especially in the way of church-building. This diocese contains Monmouthshire and a large part of Glamorganshire. There has been a more rapid stride of population there than in any other part of the United Kingdom, for the population has more than tripled in half-a-century. The increase in Monmouthshire between the years 1801 and 1851 has been 244, and in Glamorganshire 231 per cent, whereas the average increase in Great Britain was only 93½ per cent. The Bishop, in his last Charge, gives an account of what had been done since the year 1850, and he said that 39 new churches had been built, and 36 old ones had been rebuilt and enlarged—or a total of 75. And how was this done? He says that it was done by the liberality of the landed proprietors and the employers of labour, who have become more conscious of the responsibilities attaching to their position, and that many of them had contributed largely. But what does that prove? It proves, not the necessity for an Established Church, but the efficiency of the voluntary principle; for all these churches were built, apparently, by the free-will offerings of the landed proprietors in that district. But let us compare with it what was done during the same period by the various Nonconformist Bodies. Since 1850 the Congregationalists have built 68 new chapels, and have restored and enlarged 46 of the old ones. The Baptists have built 67 new ones, and have enlarged 40. The Calvinistic Methodists have built 55 new chapels, and have enlarged 40. So that the Nonconformists have in that diocese built 186 new chapels against 39 built by the Church of England, and have restored and enlarged 127, against 36 by the Church. Now, I put it to the House, what would have been the condition of this vast population, which has been growing with vast rapidity in Wales, if it had been left to the tender mercies of the Church of England? It was admitted by one of the Bishops that, but for the exertions of the Nonconformists, Wales would have been in a condition of heathenism. I think this is a state of things which ought not to continue. It is a state of things to which I object. First of all, on account of its absurdity. What can be more absurd than to maintain, as you have done in Wales, a costly and elaborate machinery to do work that it has never done? which it is not doing now—and which there is not the slightest probability that it ever will do, and which work is being done far more effectually by another and totally different agency. Secondly, I object to it on account of its injustice—for when a poor and scattered people so utterly neglected for so long a time by the Church, and when they have made for themselves such ample provision by voluntary efforts, is it not unjust that they should have to bear the burden of another Church, which is of no use whatever to the great bulk of them? I object to it, thirdly, because it tends to disturb and poison social relations between the different classes of the people of that country. I believe there is no people in the world better disposed to live in harmony among themselves than the Welsh people. But the Established Church is the bone of contention. It was my misfortune to be called upon to bring to the attention of this House, two years ago, certain proceedings that had taken place in Wales after the last election. I described to the House how notices to quit had fallen on the tenant-farmers and others, "like a shower of hail," as one of my correspondents said, and although, after that discussion, many of the notices were withdrawn, yet many were carried rigorously into effect. There were more than 100 persons who were turned out of house and home for no offence, except that they had dared to exercise their own understanding and conscience in the giving of their votes. But what was at the bottom of it all? I believe that the Church of England was, for it was proved that, I believe, in every instance the victims were Dissenters, and those who did the injustice were members of the Church. Now, there is hardly a dispute of any importance existing among the various classes in Wales, except what is connected, more or less directly, with the Church. The landowners are generally members of the Church of England, and they have somehow got it in their heads that it affects their honour and reflects upon their character as proprietors of the soil that the tenants should be of a different religion from themselves, and they conceive it to be their duty to attempt to draw or drive them back into the Church. On this account I say that the existence of the Church, so far from being a bond of union, is the cause of dissension between the various classes of the community, and therefore I should rejoice if, in Wales at any rate, it was severed from the State, if only to restore among us the unity and concord which I believe would then be restored. I disclaim the imputations that are sometimes made against us, because we advocate the separation of the Church from the State. We are accused of wishing to destroy the Church of England. I utterly deny the charge. I have no wish to destroy or to injure or to cripple her. On the contrary, my calm conviction is, that the day when the Church of England shakes herself free from these trammels will be to her as life from the dead. Disembarrassed from the restraints now put upon her by her connection with the State—freed from those exclusive and invidious privileges which nourish prejudice and provoke hostility; relying no longer on the precarious and treacherous support of the State, but on the love and liberality of her own children, and on the presence and blessing of her Divine Master, I believe that the Church would rise to a higher position, and would go forth to do her great work clothed with a nobler dignity, conscious of a Diviner power, destined to achieve far more illustrious triumphs than she has ever yet achieved; and none will rejoice more cordially than the Nonconformists of England and Wales in all the triumphs which she may win in the cause of our common Master.

MR. SCOURFIELD said, he would not have risen to address the House on the present occasion if the hon. Member who had just spoken had not made some special remarks to that part of the country with which he was more immediately connected. The speech of his hon. Friend would have been much more appropriate if it had been delivered last year on the occasion of the Motion in reference to the Welsh Church, but they were discussing the question of the Church of England and Wales in general. Then, again, he had pointed out rather what was deficient in the past than what was deficient now. His argument showed, not that the Church had not been doing good, but that there were other Bodies which had done more. Now, he, for one, was very grateful to hear that other religious Bodies in Wales had been supplementing any deficiency of the Welsh Church. He had no feeling of hostility towards other Bodies. On the contrary, he could assure them that if they would abstain from aggression they would find the proprietors ready to meet them in a more liberal spirit. But when they joined in Motions of this sort, and set themselves in open hostility against the Church, it was impossible to give them that assistance which might otherwise be willingly rendered. His hon. Friend, in speaking of the deficiency of the Welsh Church, had introduced a saving clause in favour of the Bishops of the present time. It was imperative on him (Mr. Scourfield) to mention a fact which was, probably, exclusively within his own knowledge. He was the last surviving trustee under a trust created by the present Bishop of St. David's for the application of his own property to the enlargement of parsonages and the augmentation of livings, and up to the 8th January, 1871, the sum of £21,970 had been distributed for that purpose, and before the trust was completed there would be property to the amount of £28,000 or £29,000 entirely supplied for the object named, through the munificence of the Bishop of St. David's. What was to be gained by the abolition of the Welsh Church he could not understand. In regard to any alleged hostility between the landowners and the Dissenters, he stated that in an archdeaconry in South Wales 109 Dissenting chapels had been leased by the Church of England, and 51 grave-yards had had been supplied to the Dissenters by landowners belonging to the Church. This showed there was no deliberate hostility towards Dissenters. He had himself also subscribed to the augmentation of livings in five different parishes. He confessed he did not see the advantage that would arise from taking away those funds from the Church which were already found insufficient for the supply of her wants. They had heard a great deal about liberty; but that liberty had been entirely approached from one point of view. It had been said that the liberty of the preacher was often the tyranny of the congregation. He had always wished to see some limit placed to the possible abuse of power in the hands of individuals, and his conviction was that individual liberty was safer in the hands of a properly constituted authority than in the hands of a vague majority. He was thoroughly opposed to any measure of the kind now proposed. There was no time when individual liberty was more at stake than in the present day. A great deal in the action of the State had already been taken away, and if the power were less no member of the Church would know when he was going to reside in any parish, but he might be under the influence of High Church practices, or Low Church practices, or Broad Church practices. He did not express his concurrence in the views of any one of these parties exclusively, for he had no doubt they all held some part of the truth. He was sure he was expressing the sentiments of the large majority of Churchmen in this country when he expressed a strong wish to see the present state of things maintained. Many persons complained of the authority of the Queen as head of the Church, and the action of the Judicial Committee of the Privy Council. With regard to the authority of the Queen, looking at it in a Constitutional light, he regarded it as the authority of law, order, moderation, and common sense; and with regard to the action of the Judicial Committee of the Privy Council, he had no prejudice in favour of the lawyer, but he could not help feeling that the lawyer was a good interpreting machine. He had been trained from his youth to the habit of constantly looking at what law was, without considering what it ought to be, and that made him a faithful interpreter of the propositions put before him. In the present day there was not the slightest risk of the exercise of any tyranny by Constitutional authority. Believing that the Church of England, as by law established, afforded the best guarantee for individual liberty in religious matters, he should give his decided opposition to the present Motion.

MR. WATKIN WILLIAMS, in supporting the Motion, said, he understood it to involve not merely disestablishment but also disendowment. If it involved disestablishment only he should be decidedly opposed to it, and would prefer that the Church, if it retained its endowment, should remain tied to the State rather than be allowed to be free. He had brought forward last Session a Motion for the disestablishment of the Church in Wales, intending to have proceeded with further arguments upon it this Session, not expecting that it would be followed so soon by the more general Motion for the disestablishment of the Church throughout Great Britain. Although he believed his Motion might have been proceeded with with a greater prospect of success than the present one, he felt that it would be unfair to the House to inflict upon them his Motion in addition to that of the hon. Member for Bradford (Mr. Miall), and therefore supported the present Motion. He supported it in some respects upon grounds differing from those who brought it forward. There were some arguments in favour of Established Churches, which he admitted the weight of. An Established Church secured for the members a certain amount of liberty and freedom from ecclesiastical tyranny and dogmatism which free Churches did not appear to possess to so great an extent. He knew of no free Church in which so wide a divergence of opinion could be tolerated as was seen in the present day in the Church of England, and he thought that was an advantage. He believed that the Church of England had been established and allied to the State not so much for the benefit of the Church as of the State; and there were some who thought that if the Church were disestablished the injury would be not to the Church, but to the State. If he were convinced that upon the disestablishment of the Church there would arise in the country one great general and united religious Body, full of earnestness and reality, and also monopolizing power and property, he should consider twice, and pause seriously before he consented to dissever the Church from the State. It was considered by some that if the Church were disestablished the result would be for the benefit of the Church; he had considerable doubts whether this would be the case, and thought it far from unlikely that the severance would be attended with injury to the Church in several important respects. If he might venture to prophecy, he thought it would probably be followed by the recurrence of schisms, and the division of the Church into two or three different sections. The Church would also lose something by being deprived of its property and temporal position as an institution and a power in the State. He did not understand why Nonconformists should so constantly disclaim any desire to see the Church less powerful and influential than she was. If they believed that they were right and the Church wrong, why should they not wish to increase their own power and diminish that of the Church? Believing, however, as he did, after mature deliberation, that disestablishment and disendowment was just and politic, he felt that if the result should prove injurious to the position of the Church, that circumstance really was an additional reason for disestablishment. A State establishment for religion could only be justified upon the ground that the Established Church was the accepted religion of the country; and if it were admitted that the Church when placed upon terms of equality with other religious Bodies could not hold its ground, that, in his opinion, was a justification for depriving her of all adventitious aid from the State. The argument that a State Church placed amongst a rural population a number of gentlemen of superior education and cultivation, who elevated the moral tone and feelings of the humbler classes, was, he thought, striking at first sight; but in practice he thought it was not a sound one. Grown up people would not submit in matters of religion to be taught or led by those who are merely socially their superiors. They would be guided only by those whom they felt to be in sympathy with them, who were not too far removed from them, and who, if he might venture to say so, partook to some extent of their own imperfections. Wales was a striking instance of this. The country people listened with reverence to their local ministers, and were beneficially influenced by them, and regarded the more educated of the Church clergy, not indeed with disrespect, but with coldness and indifference. He was in favour of disestablishment and disendowment upon two principal grounds. He thought that in matters of religion there should be absolute equality for everyone. It was a matter upon which every man must answer to his own conscience; and it was intolerable in a free country that the State should give support and aid to some religious creeds which they withheld from others. He thought, also, that it was highly injurious that a religious sect should be permanently endowed with property and supported by the State; it led to consequences injurious to religion itself, and also to the peace and happiness of the people. The tendency of all religions was, from the very nature of the case, to endeavour to fix and stereotype the thoughts and opinions of the times. The idea of having arrived at a real, immutable, and absolute truth, necessarily induced men to endeavour to stereotype and fix for ever that view as the standard of truth for all time. That was the tendency of every religion. This would probably be desirable if there could be any certainty of arriving at absolute truth; but in human nature, and throughout all the operations of nature, there was an invariable and irresistible tendency to change, the inevitable consequence of which was that, sooner or later, the thoughts and opinions and feelings of a former age, if artificially perpetuated, were found to be more or less in opposition to, and in antagonism with, the thoughts and feelings of to-day. Yet the opinions and theories in science were constantly changing, and many settled opinions of the learned of 50 years ago were now smiled at as childish absurdities. Religious feelings and thoughts formed no exception to this general tendency towards change, and he thought it to the interest of religion that there should be full scope and freedom to its development, concurrently with the general thought and intellectual progress of the people. The effect of a permanent endowment was to give ecclesiastics a pecuniary interest in maintaining fixed opinions and dogmas, and in adhering to them and maintaining them without reference to and sometimes in defiance of their own opinion, and the general feeling and opinions of the age. In all countries this had sooner or later led to one result—revolution and confiscation of property. He denied the policy of permitting persons who accumulated property in the short period of their lives to dictate to future ages the manner in which, and the terms upon which, such property should be enjoyed. He considered it injurious to religion and injurious to the State. The argument of the hon. and learned Member for Richmond (Sir Roundell Palmer) was extraordinary, except, of course, as a mere legal argument. He said that the Dissenters are not deprived of the benefit of the property enjoyed by the Church, as it rested with them to come and accept the benefit of it. That argument would have justified the retention of the ecclesiastical property of the country for the maintenance of the Druidical religion. His ancestors, many centuries ago, through mixed feelings of piety and superstition, had given property for the maintenance of the Druids; and if a few Druids had retained that property down to the present time, they might with equal truth have said that the country was not deprived of that property, as it was open to all to come to their groves and woods, and attend and receive the consolations of their religious ceremonies. That property had, however, long been taken away from them, and quite rightly, as they ceased to represent the religious feelings of the country. He was relieved by one argument of the hon. and learned Member for Richmond, when he pointed out with all his weight and authority that, in the event of the disestablishment, the Church, like other free Churches at present, would still in all its relations to the holding of property be under the control of the law of the land. If hereafter the Church of England, or any other Church, should rise up to great overwhelming influence in the State, through the uncontrolled possession of accumulated property and power, he, for one, should be amongst the first to subjugate it once more to the State. Whilst the religious feelings and aspirations of people had an irresistible tendency to change and progress, the equally certain tendency of Established and Endowed Churches was to remain firmly fixed and attached to dogmas and truths laid down with the idea of resisting all change and development. The effect of this was to bring religion into conflict with the more advanced and enlightened people of every age. For that reason he thought it was contrary to public policy that persons should be allowed to dictate to future generations in perpetuity how property should be applied for the maintenance of religion. Within certain limits it was desirable that the wishes of a testator should be respected and followed. It was important to give encouragement to thriftiness and care, and also to the support of religion and education. He had come to the conclusion that it was for the interest of the State, and of the people of this country, that the Church of England should be severed from the State, and deprived of its permanent endowments, and that it should be put upon a perfect footing of equality with all other religious Bodies, that none of them should be allowed to retain perpetual endowments, but that each generation should support and maintain that religion which had gained its sympathy and confidence.

Dr. BALL said, it was doubtful if those who had spoken in the debate understood the Resolution which had been moved. But before voting upon it, it was indispensable that it should be thoroughly understood. The Resolution declared that the policy initiated in Ireland should be applied to other parts of the United Kingdom. Now, the Irish Church was not merely severed from the State and reduced to the same level as every other religious Body, but was deprived of all its property, with the exception of existing life interests. The Motion, therefore, in plain terms, called for the total disestablishment and disendowment of the English Church. Now, could there be submitted to Parliament a proposition of greater magnitude, or one calling for more decided and determined action on the part of the Government? The Established Church in England must be either right or wrong. If right, it should be maintained with the whole power of the Government; if wrong, it should be assailed with the whole power of the Government. But, how was this issue met? The Government put forward the Secretary of State for the Home Department, who met that issue by an apparent negative, though, in truth, it was a real encouragement. "I am not an advocate for an Establishment in the abstract," said the right hon. Gentleman. [Mr. Bruce: I never used the expression that I was not an advocate.] Then, what was the expression the right hon. Gentleman did use? ["Oh!"] Surely, if one thing was in the right hon. Gentleman's speech more plain than another, it was that he was not, in the abstract, a friend of religious Establishments. If the right hon. Gentleman did not say this in express terms, his words admitted of the construction put upon them. What next did the right hon. Gentleman say? "The Colonies we have sent forth have abandoned Establishments." Call you this backing your friends? The right hon. Gentleman was put up to resist the Motion, and this was the mode in which he resisted it. "The time is not come —not now." It would be a bold Government which would undertake, at this moment, to overturn the Established Church. But "bold" was not an epithet which could be applied to the present Government, for there was no measure which they would not withdraw in order to escape opposition. Therefore, for the present, the Church was safe. The Church would be defended as long as its defence did not imperil the existence of the administration; but it would be abandoned as soon as ever their existence was at stake upon the question. That course had been adopted by the Government in regard to the Budget and the Licensing Bill. The truth was, it was utterly impossible for Gentlemen on the Treasury bench really to advocate the cause of the Established Church in England, because they had conceded in respect of Ireland the very principle on which the English Church rested. What kind of arguments had been put forward by the right hon. Gentleman? Mere arguments of expediency—arguments of the moment—statements that great evil might result if the country were deprived of the energy and the zeal of particular clergymen. Such a mode of defence left the Church at the mercy of temporary exigencies. A war—a civil frenzy—for nations were subject to transient currents of feeling equivalent to frenzy—might demand her destruction. No religious institution ever endured permanently which was founded on these views of expediency. The doctrine of an established religion rested on the duty of the State to make such an acknowledgment to the Supreme Being, from whom all its greatness, prosperity, and grandeur flowed. That doctrine was abandoned in Ireland; and although he did not mean to say that there might not have been arguments and reasons for dealing with the Church in that country, yet there was no good reason why it should be dealt with by means of the total confiscation of its property for secular purposes. It was declared by the Government, in their measure confiscating that property, that nothing should be given for the maintenance of religious teaching, and the result had been that it had been left a derelict without any destination. After such a declaration the Government were incapable of meeting the present question boldly. They contented themselves with saying—"It is not time: we hold the gate; make a vigorous rush, and we will open it." It was, in short, to be treated as a question of pressure and momentary convenience, not as one which had been connected with any considerations of sound policy, or duty, or sacred right. No institution defended, as the Established Church of England had been defended, by the Government could hope to stand. His hon. and learned Friend the Member for Richmond (Sir Roundell Palmer) did, however, address arguments to the House which really bore on the question at issue. He wished to express his concurrence with the arguments and views developed in that speech. At the same time, he must regret that the hon. Gentleman had nothing to say by way of comment on the speech of the right hon. Gentleman who had preceded him, as if his mode of meeting the Motion of the hon. Member for Bradford (Mr. Miall) was one which his hon. and learned Friend could possibly approve. But the hon. Member could not have approved the speech of the right hon. Gentleman: his own speech was in startling contrast to it, and did not palter with the present movement. His hon. and learned Friend placed the Establishment on a level with the Crown and the other great institutions of England. It was not his (Dr. Ball's) intention to have spoken on a subject which had better, perhaps, be left to those who were connected with this country; but he could not refrain from entering his protest against the manner in which the Motion had been met by the Government, because, with the experience which he had of the results of their policy in the case of the Church in Ireland, he was fully alive to the real nature and character of the proposal before the House—a nature and character which did not appear to him to have been realized by preceding speakers in its full extent, and which, being clearly understood, its rejection by an overwhelming majority was insured.

MR. LEATHAM: * It is, Sir, I think, an evil omen for the cause of Church and State, that we have had to listen this evening to an array of arguments, illustrations, and appeals with which we are perfectly familiar, which have been produced and re-produced any time during the last 40 years, when Church questions have been under discussion, and in defiance and contempt and refutation of which the whole liberal policy of the last 40 years has deliberately proceeded. Not that I censure hon. Gentlemen for having recourse to these ancestral weapons. From this point of view their attitude has been logical throughout. From the very beginning they have foreseen whither this whole controversy inexorably tended, and if we find ourselves in a position in which we are logically bound to do one of two things—either to advance to the great consummation towards which all our legislation points, or repeal the whole of that legislation in a block—it it not because we have not had timely and eloquent warning from the Benches opposite. So long as Englishmen were assumed to be all of one mind—so long as it was possible to speak of the Church of England as the Church of the nation—so long as you refused to recognize as part of the nation those who stood outside the Church—so long as you excluded them for that reason, as upon adequate grounds from every office of emolument of trust, ignoring or proscribing their forms of worship, and treating them as criminals whom the State was bound to punish and suppress—so long was the course which you followed logical and clear; and if that course had been pursued to the present time—monstrous and wicked and perilous though it would have been—the Church of England would not have become what she is now, a paradox in legislation, and an excrescence on our political system. In truth, the nation and the Church are no longer in theory even co-extensive. Half the nation stands outside your Church, denying her authority, declining her ordinances, abstaining altogether from her communion. These men are *de jure* and *de facto* as much Englishmen, with all the rights and privileges of full citizenship, as you are. Even the Universities, the last stronghold of the old theory, are being thrown open to men of every creed. The Church, *qua* Church, is everywhere retiring before the nation, and as a national institution, therefore, she has become an anachronism. Now, I shall be told, I have no doubt, that this is an ungracious argument, and that I ought to be debarred from using it by my gratitude for all which has been done for Dissenters. Not all that you have done can wipe out the memory of the atrocities, by contrast alone with which can your subsequent policy appear generous. And nothing which you have done, is in excess of what you were bound to do by considerations of the commonest and barest justice. The man who has been falsely imprisoned, whipped through the town, and placed in the pillory, feels no gratitude, at the termination of his punishment, for a free pardon, and all the gratitude which Dissenters are bound to feel is towards those statesmen who, wise and just and enlightened beyond their time, have restored us by slow and very safe degrees to the rights of which we ought never to have been robbed, and who have thus laid down a long series of precedents, each one stronger and more definite than that which went before it, for the final recognition by law of a complete and perpetual equality between every English creed. Nor is the Church herself slow to perceive what is approaching. In every section of that great bundle of sects which calls itself the Church, we find men clear-sighted enough, and honest enough, to tell her to prepare for this inevitable change. At this hour I do not propose to weary the House with quotations. Of all the Churchmen who have spoke or written on this subject I will select three only, one representing each of the great primary groups of opinion into which the Church is notoriously divided. Let me first take what is called the Evangelical party, and as an exponent the Rev. Mr. Ryle. In a recent letter which appeared in *The Record* he made use of these words—

> "There is a current setting in towards the disestablishment of all national churches, and we are already in it. We shall soon be in the rapids. A few, a very few years, and we shall be over the falls."

Passing on to the late Dean Alford, a representative of Broad Church views, I find him, in his essay on the *Church of the Future* expressing himself thus—

> "Whether years or decades of years be taken for the accomplishment of this (the severance of Church and State), however it may be deprecated, and however opposed, accomplished it certainly will be. History has for ages been preparing its way; in past changes it has been conceded over and over again; God's arm is thrusting it on, and man's power cannot keep it back."

Finally, Mr. Wood, as President of the Church Union, and thus representing the views of another large section of opinion within the Church, recognizes the same great fact. "It is impossible," he says, speaking of disestablishment—

> "It is impossible to look round the world and not see that everywhere the tendency of the age is to separate between things temporal and things spiritual."

Well, Sir, while the whole course of legislation, the whole current of opinion, the whole tendency of the age—or as Dean Alford puts it—the arm of God is thrusting on this change, what is the class of argument with which its opponents hope to keep these gigantic and converging forces at bay? Let me examine what has been advanced in the course of this debate; but before I do so let me say that I approach this question entirely free from that hatred of the Church, or even that prejudice against the Church, which it is too much the fashion among our opponents to impute to those whom they have nicknamed "political Dissenters." Although my Nonconformity comes down to me from Puritan times, that does not prevent me from uniting, I hope, earnestly and reverently in her services, or from contributing towards the extension of those privileges among the population around me. For the Church herself, as a great religious community, instinct, as I believe her to be, with one of the noblest ambitions which can actuate mankind; engaged everywhere in a holy and arduous work, and teeming with men who realize as amply as it is given to us to realize the Christian ideal, I have no sentiments except those of profound respect and the most cordial regard; and it is because I have this reverence for her services, and this respect for herself, that I resent with a feeling akin to indignation some of the arguments which I have heard to-night. The hon. and learned Member for Richmond (Sir Roundell Palmer) drew a beautiful picture, in all of which I went along with him, of the beneficent exertions of clergymen in rural parishes, and he inferred that if we disestablished the Church all that beneficence must cease—he inferred that the Church would retire from every position in which it did not pay to preach—and I want to know where it is possible to find a more triumphant illustration of the argument of those who assert that this union of Church and State has gone far to secularize religion, to eat out its vitality, to cripple and paralyze the Church herself? I am astonished that for very shame hon. Members do not refrain from this line of argument, say rather this abject confession of the degree of self-distrust to which centuries of petting and coddling by the State have reduced the Church—at least, in the estimation of her champions. If this be the position of this great religious society, if, with all the advantages which must remain to her, with that complete system of parochial organization of which the hon. and learned Gentleman has spoken, with churches, and schools, and parsonages built everywhere, with vast endowments of private origin and modern growth which no one proposes to touch, with a huge mine of wealth to go to in the pockets of her members, she is unable to maintain, and to maintain in all their efficiency—yes, without silencing a single pulpit—her offices and ministrations throughout the country, then she is rotten to the core, and it is time that she should resign to Churches which are still vigorous, perhaps because they are still free, that work of evangelization to which, it appears, she is no longer equal, except under the stimulus of perpetual pick-me-ups in the shape of State support. But the hon. and learned Gentleman went on to discuss the Dissenters' grievance, and he told us that, in his opinion, we have no grievance whatever, not even a sentimental one. Now, when the hon. and learned Gentleman was dealing with the question of the disestablishment of the Irish Church, he took a very different view of Church ascendancy. He defined the grievance in Ireland in words which I must try to recall to his recollection. He said—

> "The grievance consists in giving, by State Establishment, to the Church of a small minority of the Irish people a superiority of rank and an exclusive right—a right which no other religious body in the country possesses—to have its laws deemed part of the laws of the land, to have courts maintained for the execution of those laws—in the association of the Sovereign with the appointment of its officers, like the great officers of State—and in the introduction of those chief officers into the highest seats in one of the two Houses of the Legislature."—[3 *Hansard*, cxciv. 1911.]

Now, what I would ask the hon. and learned Gentleman is this—"Is this grievance of ours not a grievance because it is only the grievance of half the population of this country?" But the right hon. and learned Gentleman who has just spoken (Dr. Ball) tells us that if we disestablish the Church we shall commit an act of national apostasy—that, in fact, we shall divorce the State from the restraints and sanctions of religion. But I never yet heard that that religion upon which every Christian

State is based is a thing of Acts of Parliament, a thing of formularies, still less a thing of "purple and fine linen." The religion of a nation is in its conscience and in its heart, and the outward manifestation of it is to be found not in the performance of "pompous rites in domes august," but in its policy, in its care for the poor and suffering, in its Christian forbearance towards foreign nations, in its horror of bloodshed, and in the righteousness and absolute equality of its laws. The right hon. and learned Gentleman speaks of the admirable reply which the hon. and learned Member for Richmond has made to my hon. Friend; but the hon. and learned Gentleman has made a reply at least equally admirable to the argument of the right hon. and learned Gentleman. In the memorable speech from which I have already quoted he says, speaking of this argument about apostasy—

> "It appears to me that such view is founded on an entirely false notion of the vocation of civil government, and of the nature of national religion."—[3 *Hansard*, cxciv. 1908.]

The right hon. and learned Gentleman's imagination ran rhetorical riot in describing the dismal consequences of disestablishment, but I would ask him what dismal consequences have followed disestablishment in those of our Colonies which have pursued this policy? And what dismal consequences are likely to ensue in Ireland, where, for the first time in its melancholy history, the Protestant Episcopal Church seems about to inherit the blessing. Let the right hon. and learned Gentleman look at America. They have no Established Church there, but will the right hon. and learned Gentleman contend that the Americans are an irreligious people? An hon. Member says, "They are." Let me remind him, then, of the opinion of one of the shrewdest clergymen of the Church of England who ever lived. Speaking of the Americans, Sydney Smith observes—

> "They are devout without being unjust—the great problem in religion—and a higher proof of civilization than painted teacups, waterproof leather, and broadcloth at two guineas a-yard."

And it is this great problem, how to be devout without being unjust, which we have still to solve in this religious and civilized country. But when we ask for justice we are confronted by the spectre of ancient right. We are told that the Church of England is the same Church as the Church before the Reformation, only purified. Purified from what? From Romish error. Yes, but if it had not been for Romish error, where would have been the great bulk of those endowments? It was the Church of Rome, working upon the terrors of guilty men, which caused them to strip their innocent offspring of their rightful inheritance in order to enrich the Church. [An hon. MEMBER: No, no!] The hon. Gentleman says "No, no!" but this is not matter of opinion. This is matter of history, and to such lengths did this ecclesiastical robbery go—such was the danger lest the whole land of England should fall under this process of sacerdotal absorption—that it was found necessary so long ago as the reign of Henry III. to pass the first of those famous statutes of mortmain which arrested the further alienation of the soil. The position of the Church of England, therefore, is this—"I am purified," she says, "from Romish error. I have discarded Romish superstition. I am above making my little game out of the death-bed fears of sinful men. I do not believe that Heaven is to be purchased by legacies. I have no faith whatever in post-mortem religion. But I am not above profiting by the errors which I have discarded. I renounce the superstition, but the proceeds of that superstition I keep." But, Sir, I did not rise with the view of arguing out this question. After the ample and elaborate speech of my hon. Friend (Mr. Miall), a speech which seemed to me as though it were the condensation of the thought of a lifetime, it would be a mere work of supererogation if I were to attempt to travel lamely over ground which he has occupied with so much eloquence and skill. I rose rather to give, if possible, still more emphatic expression to the opinions, and not merely the opinions, but the unalterable determination, of the whole Nonconformist Body throughout the country, to support this Motion. And if it be excepted that my hon. and learned Friend who has just taken his seat on the Treasury Bench (Mr. Winterbotham) has made a public declaration of somewhat dissimilar views—I hope that my hon. Friend will not think that I wish to speak disrespectfully of him when I say that I should have felt more impressed by the weight of those views if they had proceeded from a different part of the House. [Mr. WINTERBOTHAM said, that he had made the statement before he entered the House.] My hon. and learned Friend protests against the Motion of my hon. Friend the Member for Bradford on the ground that it must produce discord. I grant it. There is, probably, no question which can be brought before this House, or argued before the country, which will so stir society to its depths. But why? Because there is no question in which the interests of society are so profoundly involved. My hon. Friend goes about, like Lord Falkland, crying "Peace, peace," when there is no peace. Why, Sir, the forces which are to contend upon this battle-ground have been mustering and marshalling for two centuries. The whole air is full of the portents of strife—

> "Gemit ultima pulsu
> Thraca pedum circumque atræ Formidinis ora,
> Iræque, Insidiæque, Dei comitatus, aguntur."

The clash of conflict must soon drown the voice of those who wander about, amiably, no doubt, but, as I think, feebly, deprecating an encounter the hour of which has struck, and the issue of which is sure. And, Sir, it is the more important that these opinions should be expressed without disguise, because there is, I fear, no slight misconception on this point in the minds of statesmen whose high function it is to erect into a practical policy the claims and convictions of those at whose head they stand. The right hon. Gentleman the Secretary of State for the Home Department thinks that this question does not enlist national attention. I sometimes hear the demand for disestablishment regarded as the crotchet of a few blind enthusiasts—of men who have no weight in this country, and can scarcely command a hearing in this House—and, to borrow the language of one of our critics—"who seem to be quite unconscious of the existence of a world outside their own little circle." Now, the sooner hon. Members disembarrass their candid minds of this assumption the better. He is the blind and unconscious man who can mix freely in Liberal society of any grade, and who has not made the discovery, that before we are many years — perhaps, before we are many months—older, this question of the freedom of the Church, and of the removal of the religious inferiority of Dissenters, must become the test question of Liberal opinion throughout the country. It is therefore not without regret that I have observed on the part of eminent Members of the Cabinet an inclination to take up positions with regard to this question which, if they are to remain the leaders of the party, will sooner or later have to be evacuated, and evacuated possibly not without a heavy loss of artillery. As a supporter of the Government, I hope never to hear the question asked in anger—"How long are we, a party of Dissenters, to be led by a Cabinet of Churchmen?" I say a party of Dissenters, and I speak advisedly—for though I do not for a moment disparage the aid of those enlightened Churchmen who in larger or smaller numbers in every constituency swell our Liberal majorities, and though I do not undervalue the immense moral support which upon every question touching religion we gain from the co-operation of men who are warmly attached to the Church as a religious society, but who resent more than we resent the pressure of the golden fetters with which she is bound; yet I do not hesitate to say—and I say it without fear of contradiction—that it is from the Nonconformists of the United Kingdom that that momentum comes which has carried the party victoriously over so many obstacles, and which, in a future which is not distant, is destined to carry it over obstacles higher and broader, and more obstinate than any of those. I trust, then, that when we advance a little further, and this question looms larger and larger, as it will do, we shall find, as we have so often found before, that there is no real interval of opinion between those who undertake to lead the party and those who provide it with its motive force; for if it should turn out that that interval does exist, we may rest assured of one thing, and that is that an equal interval will divide the Government from that zealous support of Nonconformists, by virtue of which, more than by that of any other force in the kingdom, they are at this moment sitting upon that bench, not that I applaud the extreme resentment which the suspicion of such a discrepancy of opinion appears to have produced in some. There are some Nonconformists who have rubbed the Whig leaders with the oil of praise until they shone again, only to drench them with the vinegar of their discontent, now that they have discovered what they ought to have known from the beginning, that they were only oiled Whigs after all. Now, to the Whig mind I can easily imagine that there is something at the first blush very distressing in the notion of disestablishment; but it is surprising to what the Whig mind will reconcile itself after mature reflection. There is no known political party, not even the great party opposite, the riches of whose understanding are so unsearchable. The fortunes of that party are presided over by a statesman who has excelled all its predecessors in the receptive attitude of his genius, and the success with which he has clothed with authority, and armed with irresistible impulse, the conceptions of other minds. This is an age in which we have all learned to call no question common or unclean. I have not sat many years in this House; but I have sat here long enough to see Household Suffrage pooh-poohed, flouted, proved frightfully dangerous from that bench, and finally embraced with tears of joy. I have heard the Ballot denounced from that bench as un-English, unconstitutional, and immoral, and I have seen the Ballot become a Cabinet question. I have learned to place great reliance upon the force of reason and common sense, upon the prerogative of prudence—upon the noble instinct of self-preservation which prompts many men, perhaps most men, but especially statesmen, to swim so gallantly with the stream; and, Sir, I do not despair of seeing the day when statesmen, who at this moment shrink in holy horror from the bare prospect of Bishops without seats, shall conspire with dignitaries of the Church in full canonicals to bind this great sacrifice with cords at the horns of the altar. The fundamental error of those who are undertaking to lead the Liberal party, is to suppose that anything short of this, any mere remission of the remaining pains and penalties of dissent—any mere removal of the disabilities under which we still labour at the Universities, will satisfy Dissenters now. The time has gone by for ever for these crumbs of toleration. Why is it that we regarded with almost absolute indifference the rejection in "another place" last year of the University Tests Bill? Why do we regard with almost absolute indifference what took place yesterday—the refusal of the last little modicum of justice? It is because we have need of greater justice; because we resent as an impertinence the very phrase toleration itself; because we are sick of these doles of compassion flung to us with supercilious hesitation, to us the dogs under the table, to us the strength and marrow of the Liberal party. And, Sir, it is because the question which my hon. Friend has raised to-night, when it is brought to its legitimate issue, will not only tend to revive and re-animate, as we believe, vital religion within the Church, but because it will put an end for ever to this injustice, this toleration, this compassion, these doles, that we regard it, and regard it justly, as the first political problem of our time.

Mr. DISRAELI: There is one remarkable feature of the Motion of the hon. Member for Bradford (Mr. Miall); it recommends a policy for which there is no precedent in the history of this country. This is a circumstance which alone should induce us to be cautious and to consider well before we accept his proposition. At no time in the history of this country has there been a period when the State has not recognized and supported some religious expression of the community. Even when power was possessed by the Puritans—whom, I suppose, modified by the circumstances of the age, I may conclude the hon. Member for Bradford fairly represents—though they abolished bishoprics, though they destroyed liturgies, still they upheld the connection between Church and State, and the appeal to the civil arm to support spiritual predominance was never more earnestly made, and never more enegetically exercised. The connection of Church and State was never more powerful than after the decapitation of Charles I., and even after the Revolution of 1688, though mitigated by the circumstances of advancing times, the principles of that connection were unreservedly asserted and acted on. I say these are circumstances which ought to make us view with, if not suspicion, at least with that caution which should always influence prudent men, the proposition of the hon. Gentleman, because, so far as England is concerned, it is mere theory he is placing before us. And the hon. Gentleman was quite conscious of this; he is too well informed not to be aware of that to which I have just referred. In order to substantiate his theory the hon. Gentleman could appeal to no previous practice of England. He referred to the beneficial results which had followed from the separation of Church and State in other European countries, and he referred also to the precedent of our legislation two years ago with respect to that which he described as the Kingdom of Ireland—not an accurate term. This reference to Continental experience was necessarily vague, and was hardly fair, when we are called upon to give our opinion upon matters of such importance with which we are so intimately acquainted and so intimately connected. But I will take one instance, I think the fairest, of the consequences of this dissolution of the connection of Church and State on the Continent of Europe. I will take it in a great country where the revolution was effected some time ago, so that there has been a fair period for the experiment; and I will ask the hon. Gentleman what he thinks of the condition of France with respect to this matter. France, an old Roman Catholic country, had much analogy with England in this respect; its Church was a national Church. I will not dwell on the great events at the end of last century and the commencement of the present. But we all know that two of the wisest and ablest of the Monarchs of France since the dissolution occurred, the First Emperor and King Louis XVIII., devoted all their energies during their reigns in order, in some degree, to recreate and bring together again the elements of that connection; and, mark you, not merely to give stability to the State—though of course such considerable statesmen were not unmindful of this consideration—but, as was avowed by the great Emperor himself, in order to secure the religious liberty of the laity. Well, you see what the religious liberty of the laity is in France at the present moment. You see, also, what is the condition of the Church in France at the present moment. The great experiment has now been carried out almost to the lees; and you have the Archbishop of Paris—a man of undoubted piety and virtue, and an enlightened man—in the dungeons of the Red Republic. So far for the Continental illustration of the hon. Gentleman. He brings forward a proposition which, so far as English history is concerned, is a mere theory; he attempts to support it by Continental experience. I have taken a fair and favourable instance as an illustration. And now look at what he calls the Kingdom of Ireland, so far as the precedent of two years ago is concerned. I agree with the hon. Gentleman that the precedent is a perfect one if you look at it logically. Logically speaking, if you disestablish the Church in Ireland, I think you are bound to disestablish also the Church in Scotland and in England. But, fortunately, this country is not governed by logic. It has a Parliamentary Government; it is governed by rhetoric and not by logic, or otherwise it would have been erased long ago from the list of leading communities. It is rather premature to draw any consequence from what has occurred so recently in Ireland; and I confess, not wishing to introduce unnecessary elements of controversy in this debate, I would rather that the reference to the Irish Church had not been made. So far as I can form an opinion upon what has occurred in Ireland, and what appear to be the consequences of the disestablishment of the Protestant Church, those consequences are not encouraging. On the one side I see a rampant spirit of Ultramontanism, and on the other the development of a contracted and exclusive Protestantism, which I confess fills me sometimes with dismay. So that while the Archbishop of Paris is immured, in consequence of the adoption of this new policy, in the dungeons of the Red Republic, the learned, intelligent, and amiable Archbishop of Dublin is suffering under the excommunication of a Protestant party.

When we have a proposition of this character brought forward, founded, as I remind the House, entirely on theory, one is inclined to ask who it is that prompts this appeal to the House of Commons. We are told it is the people. In these days everybody is the people, except myself; I never claim to be the people; I am quite satisfied with being Member for Buckinghamshire. We are told that such is the external impulse and general demand that what would be acknowledged to be a very great revolution becomes highly politic, not to say necessary. Who is it that requires the great change? Well, Sir, I will try to state the case fairly. It has been avowed by the last speaker in his lively discourse that those whom he describes as the Dissenters of England demand the change. I apprehend that I am not in error, when I assume that the Dissenters of England may fairly be looked upon as the natural successors of the old Puritan party. No doubt they have been always a national party in the State, and their views are to be considered. We must remember, however, that this is a very old quarrel; it is a quarrel which, as the hon. Gentleman who has just addressed us has fairly admitted, is 200 years old; but the great complaints which were the origin of that quarrel, and which for a considerable time sustained it, have no longer any existence. The Dissenters cannot complain, like the old Puritans, of a High Commission Court; they have no longer to encounter Archbishop Laud, or even Archbishop Sheldon. If you come to the great estate of the Church, why, for nearly the last 40 years it has been under the management and direction of a commission of laymen, and they have dealt with that estate solely to a view of general utility; they have succeeded in making a general distribution of the estate of the Church, universally acknowledged as highly beneficial. In their determination that that distribution should be generous and equal, it is possible they may have even too much reduced the means by which the Church of England always was enabled to maintain its position, not only as an orthodox, but also as a learned Church. The Dissenters are also in possession of great political power, which no one envies them. What, then, have the Dissenters to complain of? The causes of complaint which 200 years ago impelled to such violent action — which for some time after were traditionary, which of late years practically have ceased to exist—I can hardly believe that causes of that character would render an assault upon the Church by the descendants of the Puritans, without any additional cause of complaint, one that would be fruitful of any great results. But it must be admitted that the Dissenters of the present day have allies, and powerful allies. Ever since the great Revolution at the end of the last century a considerable and violent party has arisen opposed to any legal recognition or support by the State of the religious sentiment of the community. The adherents of this party are opposed to union between Church and State on grounds totally different from those which influence the Dissenters. And besides this party, which is powerful, no doubt, in many parts of Europe, and which has some influence even in this country, there is, and always has been, a certain amount of discontent among some members of the Church of England, who are influenced by what I will venture to call ultra-sacerdotal objects, and who, for quite a contrary purpose, will, or threaten that they will, combine with others, with whom they do not sympathize, in a common purpose of destruction. I think, however, the experience we have should rather induce us to believe that no serious apprehension is to be feared from these Churchmen. Whatever may be the freak of the moment, when the time comes for action they will pause and reflect before committing themselves to a contest in which they will find for allies those with whom they have no cordial sympathy. What we have to encounter are the descendants of the Puritans supported by that party which denies that there ought to be a recognition by the State of some religious opinion in the community. I will not enter into any argument on that head. I will assume that the majority of the House of Commons—a great majority of the House of Commons, as I believe a great majority of the inhabitants of this country—are of opinion that the State ought to recognize and support some religious expression in the community. That is my answer to what I will call the revolutionary party, and with respect to their ultra-sacerdotal allies I would venture to observe that if that is the opinion of the House of Commons and of the country, it follows, as an inevitable and unanswerable proposition, that the State, if it recognizes and supports some religious opinion of the community, should have the power of guiding and regulating that opinion. The anti-Church party, then, may be described as the descendants of the old Puritans, supported by that set of philosophical revolutionists, or revolutionary philosophers, who of late years have begun to produce some influence on political thought and political action. Now, it does not appear to me that these are forces which the nation, as a great community, should fear. At least, they do not offer such a representation of popular power and opinion as ought to induce the nation suddenly, and with the precipitation expected by the hon. Gentleman opposite, to give up one of the ancient institutions under which this country has so long existed and, as we believe, has so long flourished. They can only do so upon the monstrous assumption, which has prevailed too much in this debate, that the people of England generally are not in favour of their Established Church. I want to know what evidence has been given by any Gentleman who has taken part in this debate—what satisfactory evidence has been given us—in support of such an assumption? It was the point of all others on which we might have expected minute details from the hon. Gentleman who introduced the question. The hon. Gentleman who introduced this question introduced it with an intellectual power and a maturity of thought worthy of the occasion. I listened to his speech with interest. I felt it was an address which maintained the character of the House of Commons. But I noticed the total absence from that speech of evidence upon the vital point, showing that the Church of England was no longer the Church of the people. Take the population of our country districts. It exceeds the population of our towns, and I think no hon. Member will for a moment assert that in the country districts of England the influence of the Church—I am not speaking merely of the clergy, but the influence of the Church—is not very considerable. No one will for a moment pretend that the reverse is the case. The hon. Member for Bradford, indeed, spoke very lightly on this part of the subject. He spoke of the condition of our rural districts; but he seemed to refer for the information on which his opinion was based to Blue Books. I must say I thought this was a remarkable source of information for a Gentleman to go to who is asking the House to make so large a change in the Constitution of the country. I do not underrate the importance of Blue Books; but I think we should form our opinion of the character of a large portion of the English nation from personal experience and observation. We must remember that the casual information which we may obtain from Blue Books as to the population of England has reference generally to some particular industry or some exceptional circumstances in a limited portion of the community; and that it is extremely hazardous to form an idea from Blue Books of the character and condition of millions of the English people. I have formed an opinion totally different from that entertained by the hon. Member for Bradford of the feelings of the people of England in reference to this subject. I will not dwell upon this, however, because I listened—as every Member of the House must have listened—with pleasure and admiration to the description given by the hon. and learned Member for Richmond (Sir Roundell Palmer) of the general character of the rural population of this country. My heart and my experience alike respond to the expressions he used, for there was not a single trait marked out by him which was not the result of my own personal observation. I cannot admit that a Gentleman like the hon. Member for Bradford bringing forward a Motion in this style, the propriety of which, after all, must depend on the feelings of the population of this country, should treat in so light and casual a manner the condition and temper of the great body of the country population of England, and refer throughout merely to some Parliamentary Papers with which he has become acquainted in his labours on a Committee. I think hon. Gentlemen on both sides of the House will agree in this—that in the country districts, among what is still the larger portion of the population of the country, the influence of the Church of England is predominant. It is as beneficial, I believe, as it is great; but on the present occasion I will speak only of the influence of the Church. I cannot doubt that any Gentleman coming to a conclusion upon this large question can for a moment free himself from the conviction that, in the country districts of England, the influence of the Church of England, of its clergy, and of the congregation of the Church generally, is as influential as probably in a free country any power of any class or corporation can be. When Gentlemen like the hon. Member for Bradford think they are adducing an argument of force against the existence of an institution like the Church of England by alleging that its character is not universal, and that its policy has not produced unity, we must remember that in a country where toleration has existed for nearly two centuries, and where for 40 or 50 years religious equality has practically existed, it is not in the nature of things —it is not possible, perhaps it is not desirable—that there should be this universality and this unity. And yet, because these things are impossible or impracticable, are you prepared to give up the great benefits which may accrue from such an Establishment? Are you prepared to say that, because the Church is not universal, and because it does not produce unity, you will sacrifice the manifold and ineffable advantages which it communicates to the State? Well, Sir, as far as regards the country districts—still the majority of the population of this country—I say without any fear of contradiction, what no impartial man will deny, that amongst this part of the nation the influence of the Church is at this moment paramount. It strikes me that no inconsiderable fallacy pervades the remarks of the hon. Gentleman with respect to the towns. I admit that the influence of the Church of England in the towns is not equal to its influence in the country districts—is, in fact, very different. But we must remember that the population of the towns, who are not in communion with the Church, are not necessarily Dissenters. The late Archbishop of Canterbury, a pious and amiable man, but not a man of great resource and not sanguine about the future of the Church—Archbishop Sumner—did me the honour to confer with me upon some measures then in preparation or in progress, with a view to improve the relations between the Church and the people. They were of a beneficial character, and no doubt well devised; but the Archbishop was not sanguine as to their results, or, at least, he was not sanguine that though they would be beneficial they would effect the entire good which he desired, "for," he remarked, "whatever we do, after all, the nation has outgrown the Church." Now, 50 years ago the nation had outgrown something else—it had outgrown the State. The relations between the State and the nation were then most imperfect and unsatisfactory. Was that an argument for the abolition of the State? You might have come to this House—and there were some who did—and who gave such a picture of the imperfect relations between the nation and the State, that they might logically have terminated with a Resolution like that of the hon. Member for Bradford. But English statesmen of both parties were too wise to take such a course. They gave their minds up to the immense necessities of the hour; and whether you look to the Parliamentary, the municipal, or the social relations between the nation and the State, which since that time have been fostered, and created, and established, you see what can be done by the determination of wise and patriotic men, so that at last we have established relations between the State and the great body of the nation which, though there may be sometimes grumbling and sometimes wild talk—as always will be with Englishmen—have created a state of things which commands, I believe, the affection and reverence of the great body of the people. Why should you not do the same with the Church? Has it not already partially been done, and have not the clergy and the laity for many years been embarking in a much more difficult task than in the re-construction of the State when a Minister, supported by formidable numbers in Parliament and a sympthetic people, must exercise a power which the clergy and even the laity of the Church cannot be supposed to possess? I say that for years they have been doing it, and, though slow, the results have been considerable. But what is the relation now of the Church to the population of those large towns of which we hear so much, who are not in communion with the Church, but who are not, as it has been erroneously stated in the course of the debate, alienated from the Church? They are not in communion with the Dissenters, and are you prepared to say that millions of Englishmen, though they are without communion with any religious Body, will remain long in that condition? For my own part I have always believed that, organically, the English were a religious people. You have partially educated them; you are now going to educate them completely. Do you believe that educated Englishmen will long remain without a religious profession, or lead that life of religious indifference which we are told prevails in many of these great towns? I do not believe it. But when they are educated they will not fly to the conventicle. They will appreciate a learned clergy, a refined ritual, and the consolation of the beautiful offices of the Church. Therefore, I view the future of the Church in these great towns as one which ought not in our consideration of this great question to be overlooked. When we are asked to analyze this question, and when we are asked to occasion a great revolution in this country, because, forsooth, the people are no longer in communion with the Church, difficult as I know it must be in the absence of accurate statistics to come to a definite conclusion, I must impress upon the House how desultory, how imperfect, and how vague are the statements upon which you are asked to assent to this great change. What evidence have we that the separation of the Church from the State is desired by the great body of the people of this country? I do not believe that anyone can pretend to possess even approximate proof on the subject. Yet, if we take a larger view of the situation of the Church, and the undoubted millions who are in communion with it ; if we remember that there exists a body of active and devoted clergy, numbering at least 20,000; if we observe all the leading features of its existence that daily and hourly surround us—all proofs of its life and activity—I ask the House on which side lies the preponderance of evidence? Are the majority of the people of England in favour of the dissolution of this alliance, or does the evidence show the reverse to be true? I think there can be no doubt about it. We hear of *plébiscites.* I do not wish to propose one on any question. But if a *plébiscite* were taken, and the people of England were asked, ay or no—"Will you abolish the alliance between State and Church?" I have very little doubt what would be the answer. There is no evidence whatever, then, to warrant the appeal of the hon. Gentleman, and if the Church conducts itself with wisdom and discretion, I believe that every year this Motion, if it be made, will be made under worse auspices and with less prospect of success. Let the Church remain tolerant, temperate, and comprehensive, and it will then be truly national. Do not let it suppose that every party which rises in its bosom—and parties have risen in the Church from the days of the Church of Jerusalem —is an assembly of heretics. Let it remember that the varying mental types, and the varying passions of mankind, require spiritual interpreters as various; that some minds will take refuge in symbols and ceremony, while others will find support in the inspiration of enthusiasm. If the Church acts in this spirit, appealing, as it will appeal every year more and more to an educated people, I cannot believe that the policy of the hon. Member for Bradford will find increased support in the country. On the contrary, I believe that the sympathies of a cultivated nation will more and more be excited in favour of the Church—the Anglican Church—of this country. The hon. Gentleman who has proposed this Motion does not seem to be unconscious of the difficulties of the task, in case the House accedes to his proposal. Those difficulties are very considerable, and I wish he would himself bear in mind what he is bringing on this country if the House were to sanction the policy he recommends. It appears to me that if he were successful, we might count certainly upon at least a generation of disturbance. Is that a result which the House or the country desire or expect? Both parties in the State have been for the last 40 years busy in dealing with great questions and carrying measures of great importance, the wisdom of some of which have been questioned, and the means by which others have been carried have been doubted—but I think both sides and the country generally have been unanimous in this—that whatever may have been the controversy upon these measures for the moment, now they have been passed both parties in the country have done their best in order to insure their success, and that they should work for the general welfare of the country. Although I am not prepared to wish that the fair progress of this country should for a moment cease, I think the time has come when in matters of great change the country requires repose. It is not desirable that when a Minister rises in the morning he should find that every class in the country is arrayed against him. The time has, I think, arrived when we see the limit of organic change. The God Terminus has been discovered, and if five-and-twenty years of agitation and re-construction in consequence of the abolition of the Church of England await us, I cannot but believe that the future of this country will assume a darker character than I care to contemplate. I trust, therefore, that the House will act upon this question with decision. I wish we had heard from the Secretary of State for the Home Department a more encouraging tone. I think, although I am sorry to have to say it, that my right hon. and learned Friend the Member for the University of Dublin (Dr. Ball) was justified in making the remarks he did upon the statement of the right hon. Gentleman that Her Majesty's Government was not prepared to support the Motion of the hon. Member for Bradford, or indeed any Motion, unless they were assured of carrying it. These are considerations which might occur to any prudent Secretary of State who has to consider a Licensing Bill. I do not think you ought to bring forward a Licensing Bill unless you are assured of carrying it; but when it comes to a question of maintaining the union between Church and State, I think your adhesion to the proposal, or your objection to it, should be founded on some principle which cannot be disputed, and guided by some policy which the country can comprehend. I still hope we shall hear from the Prime Minister sounds of a very different character; and I do most earnestly trust that the House will give forth to-night no uncertain sign in the division upon this question, but will meet it with an unbroken front. I shall oppose the Motion in the interest of civil and religious liberty; more for the sake of the State than of the Church; more for the sake of society than of the congregation; because I believe that in resisting this policy we are maintaining the best interests of order, of civilization, and of pure religion.

Mr. GLADSTONE: The subject, Sir, which has been introduced to the notice of the House by my hon. Friend the Member for Bradford (Mr. Miall), in a tone that has drawn forth the most just eulogiums from every quarter of the House, is one which, undoubtedly, might well occupy us for many evenings, were we to attempt anything like a thorough discussion of its various bearings; but I do not understand it to be the wish of the House that our discussion should be thus prolonged. And that being so, I make no apology for rising to offer a very few—at least, I hope they will be a very few—remarks relatively, at any rate, to the magnitude of this question, without allowing the debate, so far as I am concerned, to pass to an hour inconveniently late. And, Sir, I say a very few remarks, because I am able to follow in many respects, and to a considerable extent, what has been said in various quarters in opposition to the Motion of my hon. Friend. The challenge of the right hon. Gentleman is a fair one, when he desires to know the position of the Government; but I am not prepared to admit that he correctly comprehended, or that, correctly comprehending, he correctly stated the language of my right hon. Friend the Secretary of State for the Home Department to have been that we, as a Government, would propose nothing except what we were assured of carrying. The right hon. Gentleman, unconsciously, no doubt, modified a good deal the tone and the terms of my right hon. Friend's expression, having in view the lively contrast which he was about to draw in reference to another measure. What my right hon. Friend said, if I understood him, was this—he referred to the state of public opinion upon this question as one among the reasons why he was not prepared to vote for the Motion of my hon. Friend the Member for Bradford, and, in so referring to the state of public opinion, he is sustained by an authority no less than that of the right hon. Gentleman (Mr. Disraeli), who, arguing this question, as I think, generally in a tone moderate and rational, has himself been content, and very properly content, to rest his defence of the Established Church in England, not so much upon adhesion to any abstract theory or principle, as upon the fact that the convictions of the nation are in its favour, or, in other words, that public opinion is adverse to the Motion of my hon. Friend. The Government oppose the Motion of my hon. Friend. I, for my own part, do not at all profess to limit that opposition to the present occasion. We institute no inquisition into the personal opinions of any with whom we are associated in political life; but we are adverse to the Motion of my hon. Friend; and neither my right hon.

Friend near me (Mr. Bruce), nor myself, nor, so far as I am aware, most other Members of the Government, if not the whole of them, are prepared to treat it as a question of to-day with regard to which our course is to be altered to-morrow. I must say that I think the speech of the right hon. and learned Gentleman the Member for the University of Dublin (Dr. Ball)—I trust I am not taking too great a liberty in saying so—had better not have been delivered. Its ascriptions of language and sentiment to my right hon. Friend (Mr. Bruce) were so vehement and so inaccurate, and the whole tone of the speech was so evident—I will not say intended, but calculated to introduce into this discussion considerations of party by which it could only be lowered and debased—that I felt, what I rarely feel, regret that I was listening to the right hon. and learned Gentleman. And I am bound to say, further, that I do not think the right hon. and learned Gentleman is entitled to be very critical upon the manner in which we defend the Established Church. Others may be so; but I own it appeared to me that of all the defenders of the Established Church of England the very worst on this occasion has been the right hon. and learned Gentleman, for he defended it entirely and exclusively by going back among the ancient controversies upon the Church of Ireland, and appeared to think, as he and others thought at the period of that controversy, that the same rules, circumstances, and considerations which governed the mind of Parliament in the case of the Church of Ireland, were those which were likewise applicable to the case of the Church of England. I know very well it is an opinion that may be not unfairly entertained upon the other side of the House, by Gentlemen from their point of view, that those who solicited Parliament to disestablish and disendow the Church of Ireland had given an impulse to the Motion of my hon. Friend; but I hold, further, that it is not unfair for us to maintain that the impulse has rather been aided by what we think the unfortunate error of persons who insisted upon treating the case of the Church of Ireland entirely with reference to the theory of Establishments and not with reference to the broad substantial arguments and facts upon which the Church of England was so strong. The Church of England is not a foreign Church, and by a foreign Church I do not mean to imply that the Church of Ireland is a foreign Church ecclesiastically, but it was a Church imposed upon Ireland and maintained in Ireland by extrinsic power. Whatever the Church of England may be, it is the growth of the history and traditions of the country. I will not refer to other matters connected with the Church of Ireland more than to take exception to that part of the Motion of my hon. Friend in which he asks the House to affirm that it is expedient to apply to the Established Church not a principle of disestablishment, but the policy initiated by the disestablishment of the Irish Church by the Act of 1869. My hon. Friend is perfectly entitled to use that language for himself, and he may express his individual opinion that in the disestablishment of the Irish Church the Government not only recognized the peculiar circumstances and incidents of the case, but likewise gave effect to a general principle of great breadth at the same time. I am now going to quote from my hon. Friend, and am going to quote him without being able to give chapter and verse, which is a thing that ought never to be done without apology; but I take the words from a publication which, unfortunately, does not contain a reference. I find him represented to have used these words—

> "Neither the Establishment of the Church of England, nor the principle of Church Establishment, was at issue now; it was simply a matter of political justice to the people of Ireland."

I do not know whether my hon. Friend recognizes the words; but whether he does or does not, I do not in the least degree question his title to insert in his Motion the words he has used; but on the part of the Government, honour as well as prudence requires that we should ask it to be clearly and most emphatically understood that with us the proposal for the disestablishment of the Church in Ireland was not the initiation of a policy. In stating this I stated no more than it was my duty to state, though I am sorry to say without the desired effect, upon the electors of Lancashire in 1868; and not only so, but the very best of my friends, and the best Nonconformists from time to time, as they know very well, gave me explicit warning to make that matter clear to the electors of Lancashire. It was on our part steadily contended from first to last that, whether the principle of Establishment were right or wrong, it was impossible to justify the continued executive of the Establishment in Ireland. We say that it was not the enunciation of a policy, and it is our duty to oppose the Motion which so describes it. We are bound to set aside mere considerations of party on this occasion. I must say that the hon. Gentleman (Mr. Miall) has spoken generally in that spirit, and I think we ought to endeavour to look at the question just in the same spirit of historical impartiality in which we may hereafter wish to have it regarded. My hon. Friend must have felt that he was addressing an audience little prepared, except in a special quarter, to comply with his demands; but I cannot wonder that he has been encouraged to make this Motion; and in one sense I must tender him my thanks for introducing it. I think his Motion has absorbed, so far as I can judge from the state of the Notice Paper, other minor Motions, which really involved his Motion as an ulterior consequence, but which did not fully express it or broadly raise the issue. We have been accustomed to vote for the exclusion of the Episcopal Body from the House of Lords. I think those who take an impartial view of that question will see that it is one less intimately connected with the welfare of the Church as a religious society than it is with the constitution of the House of Lords and with the position of the Church as a National Establishment, for if the Church is to continue a National Establishment undoubtedly the exclusion of the Bishops from the House of Lords removes one powerful element of moral control, which, independent of legal control, it is fair and just that public opinion should exercise over the Church. My hon. Friend has a practical advantage in raising the question of the spiritual condition of the Church in Wales, where we are not able to allege that the numerical form or appearance of that Church is such as to entitle it to the position which it occupies if it be separately regarded. He has judged wisely in foregoing the minor and collateral issue, and in raising the question in that clear and comprehensive and manly way which, whatever be the issue of the controversy, will, I think, tend to keep it from all debasing contact, and secure a fair trial of a great national question. My hon. Friend is doubtless encouraged by what has occurred in America and in the Colonies, and partly by what has occurred in Ireland; partly, also, by what is occurring on the Continent — for it is clear that upon the whole the tendency of the public sentiment is towards the relaxation of those bonds which in several countries connect religion with the State. There is another point to which it is more painful, but still necessary, to refer — and that is the internal condition of the Church of England itself. My hon. Friend's remarks upon this point recalled to my mind a passage spoken by Sir Robert Peel in the year 1848, in the course of his speech on the Bill for the removal of Parliamentary disabilities affecting the Jews. He was at that time rebuking the argument of danger to the Church, and, having stated his opinion that no such danger would arise from the admission of Jews to Parliament, he indicated the opinion that danger had arisen from another cause, in these words—

> "Were it not for internal dissensions within the Church itself, the Church would be stronger at this moment, after the successive relaxation of disabling laws, than it was even at the period when you required conformity to the faith of the Church as an essential qualification for Parliament."—[3 *Hansard*, xcvi. 529.]

These words were eminently and profoundly true; but looking at what has happened since the year 1848, although I do not know that the causes of the controversy are more substantial than they were then—I think probably they are less so—yet, undoubtedly, the temper in which they are handled has reached a degree of excitement, and almost of exasperation, which has resulted in constant efforts to bring them to an issue of judicial sentences aiming at the compulsory enforcement of usages or of opinions in a manner, and to an extent, which I must own is calculated greatly to darken the future prospect of the Church. It is from these causes, as I believe, that the hon. Member for Bradford will derive a great accession of strength; but I trust the connection between these exasperated controversies and the proceedings of the present evening will convey a lesson of warning to persons out-of-doors, whether they be those who by extreme and injudicious measures have provoked constant resort to legal tribunals, or whether they be those who seek for these evils a mode of remedy which I am afraid will aggravate them far more. When I come to the objections to the Motion of my hon. Friend, I would contend, as I have always contended, that this Motion is far more readily to be understood and justified as a merely abstract expression of opinion at the head of a literary essay than it is as embodying the terms of a practical proposition to be adopted by such a Legislature as ours. Can there be words more absolute than those of the Motion? What is the time pointed at by it? Is it, as we read this morning in an influential journal, within the century that this is to be? Is that the latitude the hon. Member allows us, or at least the younger Members of this House, who may possibly be responsible for the conduct of public affairs at the close of this century. If so, the justification of his Motion lies simply in the fact of the impracticability of its adoption, because if it were a Motion which the House was likely to pass I should protest against anything so vague or general in its scope, and giving so little in the way of a practical pledge to the country. Has my hon. Friend ever considered the vastness of the operations to which he recommends the House to give in principle its sanction? We have faced the disestablishment of the Irish Church, and I must own that when we were engaged in the operation it appeared to me to be, taking together its principles and its details, among the largest to which a Legislature could well apply itself. But the question of the Irish Church shrinks into insignifiance — I mean material insignificance—beside the question of the English Church. It is not the number of its members or the millions of its revenue; it is the mode in which it has been from a period shortly after the Christian era, and has never for 1,300 years ceased to be, the Church of the country, having been at every period ingrained with the hearts and the feelings of the great mass of the people, and having intertwined itself with the local habits and feelings, so that I do not believe there lives the man who could either divine the amount and character of the work my hon. Friend would have to undertake were he doomed to be responsible for the execution of his own propositions, or who could in the least degree define or anticipate the consequences by which it would be attended. I own my inability to look in the face that much more Herculean task which my hon. Friend by his Motion proposes to lay upon us. But, Sir, that is not the only reason why I object to the Motion of my hon. Friend. If that were the only reason, no doubt my hon. Friend would most properly turn to the indications conveyed in the speech of my hon. Friend the Member for Huddersfield (Mr. Leatham), who evidently looks with ill-concealed contempt upon the weakness of those by whom it is his unhappy destiny, at least in a political sense, to be led. My hon. Friend revealed in himself the consciousness of strength and force, and superior power to us; and he intimated that by a different composition of the Cabinet the aspirations of genuine Liberals might receive a speedy and satisfactory accomplishment. Then he said—"Are we, a party of Dissenters, to follow a Cabinet of Churchmen?" Now, in the first place, I do not think the Cabinet is a Cabinet of Churchmen. It is certainly not armed at the threshold with any test which it applies to those who undergo the mysterious operation that makes a man a Member either of the Government or of the Cabinet, and I rather believe that the Nonconforming element, whether it be represented in the Roman Catholic Church, or among the Protestants, is at any rate more hopefully represented in the present than in any former Cabinet. But when I hear my hon. Friend challenge the Government broadly, and by so many words, how a party of Dissenters is to follow a Cabinet of Churchmen, I answer not only that I rejoice to reckon among our official body many Gentlemen of great ability and high character who do not belong to the communion of the Church of England, but also that I greatly doubt whether those words used by the hon. Member would entirely suit our purpose to employ in the course of canvassing the different constituencies of the country. No doubt my hon. Friend indicates a course of future campaigns which may relieve us—if he acts consistently with his language—at an early date from the responsibilities of office. He says, and says with great truth, that the Nonconformist Body of this country constitutes a most powerful part—perhaps the most active, vigorous, and vital part—of the whole Liberal party; and

I do not conceal from myself for a moment that it is in the power of those who lead the Nonconformist party at any time to break up and shatter, if they think fit, the general fabric of the Liberal party. But my hon. Friend, I am sure, will not be the man to say that such a consideration as that is to be—as his speech really at one time seemed to indicate—the governing motive in our minds in the course that we are to take in regard to great national institutions. Let us strive to rise to somewhat nobler views. Let my hon. Friend by all means pursue the course he thinks best for the interests of liberty and of truth; but let him, at any rate, leave to us the same power and right to act according to the best of our lights and our consciences in the performance of the duties with which, whether worthily or unworthily, we are charged. Sir, it is satisfactory that there has been a general disposition shown in this debate to do justice to the Church of this country in the discharge of its duties; and, as I have ventured to criticize one part of the speech of the hon. Member for Huddersfield, I must also express the pleasure with which I listened to the early portion of it, and also to the remarks of other speakers to-night in which the way the ministers of the Church devote themselves according to the best of their light and understanding to the duties of their office and the benefit of their fellow-countrymen was not only admitted, but largely and liberally acknowledged. The words which the hon. Member for Bradford quoted—I rather think from some one else—appeared to me to be a perfectly true and unexaggerated description of the position of the clergyman as he is in a very large number of the districts of this country, and especially in the rural districts, when he stated that he was the centre of education, of charity, and of piety. I do not now enter into the question of what would happen were the national recognition of religion to be discontinued. I stand merely upon the fact. Nor is it alone on the discharge of practical duties that the Church of England stands pre-eminent. It is certainly a Church eminently favourable to liberty of thought, while I think my hon. and learned Friend the Member for Richmond (Sir Roundell Palmer) is right in repudiating on its behalf the claim of those who wish to construe that liberty as if it meant an unbounded licence. It is favourable to human culture at large—it is favourable to that profound learning which has adorned the clergy of this Church in a degree, speaking historically, inferior, I believe, to that of no Church of Christendom. It has been favourable to national education; and, although it has not been so forward, perhaps, or so energetic in the movements of this country in favour of political liberty, yet those who will go back even to the reign of Charles I., and will consider how many members of the Church there were—and there were then a great number—who were among the champions of political liberty, those who go back to the reign of James II., and consider how civil liberty had then become so strong that its triumph was assured, will not fail to see that, even in that respect, the Church was not altogether wanting. Well, this is the case of the Church as a religious institution, and those who are much attached to her, and who have endeavoured to study her character, may well point likewise to the position she occupies not only in this country, but in Christendom. For, be it recollected, that among the most devoted—nay, among the most active even of the partizans of the Roman Catholic Church there have been those who have found themselves constrained by the force of truth to acknowledge that the Church of England—notwithstanding all her faults and defects, whatever they may be—has filled a position such as was occupied by no other Church in the world with reference to the future of Christendom. It is no slight question, Sir, to consider what are to be hereafter the relations of religion to what is termed science; and I believe that if there be a hope for the continuance of those relations in a healthy state, that hope is chiefly lodged within the bounds of the communion which has been called the Church of England. I say chiefly lodged. Do not let it be supposed I mean that it is to be found nowhere else. I mean that in that antagonism which unfortunately appears at the present moment to be so sharp between ancient belief and modern thought there is no arena in which that controversy seems to me more likely to be conducted to a happy and a favourable issue than the arena of this Church of England itself. Under these circumstances, what is the state of facts with which we have to deal? The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) fairly admits that he takes his stand on the state of facts. My hon. Friend the Member for Bradford, I think, avoided stating that his Motion expressed the prevailing opinion of the people of this country; nor, with all the attention I could give to this debate, have I heard such an assertion made by any of the supporters of the Motion. Sir, I may be entirely wrong; but I would frankly state my own opinion that entire justice has not yet been done on one point to the Church of England. It is with regard to the question of numbers. My hon. and learned Friend the Member for Richmond stated that he thought that Church might fairly be taken as having a number of members equal to those of all the other religious Bodies in England and Wales. [An hon. MEMBER: Professed members.] I was going to say I think she has a good many more, because I must own it is my conviction that in professed members the Church of England has a considerable majority of the people of this country. I know that the Returns of public worship show about an equality of numbers as between the Church and the other Bodies; but then I at once admit to my hon. Friend that the Dissenters, as such, represent a higher average of religious observance. There is no doubt at all about that. There are, happily, vast numbers of persons in the Church of England who are deeply attached to their Church as what may be called practising Christians; but there are also vast numbers not so deeply attached to her, who occasionally conform to her communion, not because they belong to any other religious Body, but because they are not in the constant and habitual observance of religious ordinances. What view are we to take with regard to them? Are we to say that because they only rarely appear within the walls of the Church they only come there to be christened, to be married, or to be buried; seeing that this is not the case of the Irish Church, the blunder is scarcely excusable? Are we to say that the case of those persons is to be put out of the account? In my opinion, that is a very serious and important question indeed. There is no doubt whatever of the capability of the Church of England to provide for its members in the same way that the Nonconformist communities provide for theirs. I apprehend that it is insulting to the Church of England to question its power in that respect, and, further, that it is unjust to that community to say that its members, being more cold in religious matters, ought not to be taken into the account. When we look at the relations of the Church of England to those masses who have grown up almost unheeded, but who retain a certain relation to it, and towards whom the Church performs almost a missionary work, it is impossible that I can admit the proposition that we ought to cast those masses out of the account. I cannot help perceiving the great changes that may occur in the religious condition of those persons in relation to the Church. Take the case of Leeds before and after the days of Dr. Hook. Such a man possessing a real sense of his vocation leaves a mark upon the religious character of the population for generations to come. The work to which the Church has been devoting herself from year to year with great energy is so important in both a religious and a social sense that it must affect seriously the deliberations of this House, and must exercise an important effect in checking the impatience of those who may be disposed to jump to rash conclusions in consequence of the view they may take of the defects of the Church of England. I cannot but stand upon the firm conviction that the nation which sent us here does not wish us to adopt the Motion of the hon. Member for Bradford. I was struck, I confess, by the few words which were spoken in the early part of the evening by the right hon. Gentleman opposite (Mr. G. Hardy) who, on this occasion, had in some measure to discharge the functions of the chosen Member for Bradford. I understood that right hon. Gentleman to say that he was requested to present a Petition from Bradford, signed by upwards of 21,000 ratepayers of that town, against the Motion of my hon. Friend. I apprehend that the population of Bradford is not very different from the rest of the population of the North, and if the population of the North differs from that of the South in any way it is that the population of the South is upon the whole more generally attached to the National Church. I do not think that it is necessary for us—indeed, I do not think that the hon. Gentleman expects that we should do so—to vote for a Motion which we are firmly convinced is at variance with the established convictions of the country, and I shall venture to say to my hon. Friend what I am sure he will not resent, that if he seeks to convert the majority of the House of Commons to his opinions he must begin by undertaking the preliminary work of converting to those opinions the majority of the people of England.

MR. MIALL, in reply, thanked hon. Members for the indulgence with which they had received his opening statement, and expressed his opinion that the House, by listening with so much attention, silence, and good temper to statements which must have been repugnant to the feelings of a large majority on both sides, had raised its character as a deliberative Assembly to the highest pitch. He must remind the right hon. Gentleman the Member for Buckinghamshire, who had charged him with obtaining his knowledge of the feeling of the country upon this subject from Blue Books, that for upwards of 10 years he had been a Dissenting minister in the rural districts—that he had been among the people and had seen the actual working of the system he had proposed to put an end to, and it was what he had then learnt that had induced him to apply himself to the task of endeavouring to bring about the separation of the Church from the State. On questions of this magnitude, it was always right that those who brought them forward should prove their sincerity by taking it to a vote, and he therefore felt called upon to trouble the House to divide upon his Motion. He and those who thought with him were fully aware that they would be in a minority, and they expected to be in a minority for some little time to come, but that House had seen a great many of the minorities of to-day become the majorities of to-morrow; and, notwithstanding what had been said by the Head of the Government, he felt satisfied that the proposition contained in his Motion would be carried into effect by the Liberal party, if not under the leadership of the right hon. Gentleman, under that of his successor.

Question put.

The House *divided*:—Ayes 89; Noes 374: Majority 285.

Mr. Gladstone

AYES.

Anderson, G.
Armitstead, G.
Bagwell, J.
Baines, E.
Barry, A. H. S.
Beaumont, Capt. F.
Beaumont, S. A.
Beaumont, W. B.
Bentall, E. H.
Brewer, Dr.
Bright, J. (Manchester)
Brown, A. H.
Buckley, N.
Callan, P.
Campbell, H.
Candlish, J.
Carnegie, hon. C.
Carter, Mr. Alderman
Clay, J.
Colman, J. J.
Cowen, J.
Craufurd, E. H. J.
Davies, R.
Delahunty, J.
Digby, K. T.
Dilke, Sir C. W.
Dillwyn, L. L.
Dixon, G.
Ewing, H. E. C.
Fawcett, H.
Fitzmaurice, Lord E.
Fordyce, W. D.
Fothergill, R.
Gilpin, C.
Goldsmid, Sir F.
Gourley, E. T.
Graham, W.
Hadfield, G.
Harris, J. D.
Heron, D. C.
Hoare, Sir H. A.
Holland, S.
Howard, J.
Illingworth, A.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Loch, G.
Lush, Dr.
Lusk, A.
M'Arthur, W.
M'Clure, T.
M'Laren, D.
Melly, G.
Miller, J.
Morgan, G. O.
Morley, S.
Morrison, W.
Mundella, A. J.
Muntz, P. H.
Parry, L. Jones-
Philips, R. N.
Platt, J.
Potter, E.
Potter, T. B.
Price, W. E.
Price, W. P.
Rathbone, W.
Reed, C.
Richard, H.
Richards, E. M.
Roden, W. S.
Rylands, P.
Seely, C. (Lincoln)
Shaw, R.
Shaw, W.
Sheridan, H. B.
Smith, E.
Smith, J. B.
Stacpoole, W.
Stepney, Colonel
Stevenson, J. C.
Taylor, P. A.
Trevelyan, G. O.
Whalley, G. H.
White, J.
Williams, W.
Wingfield, Sir C.
Young, A. W.

TELLERS.

Miall, E.
Lewis, J. D.

NOES.

Acland, T. D.
Adair, H. E.
Adderley, rt. hon. Sir C.
Agar-Ellis, hon. L. G. F.
Akroyd, E.
Allen, Major
Amcotts, Col. W. C.
Amphlett, R. P.
Annesley, hon. Col. H.
Anson, hon. A. H. A.
Anstruther, Sir R.
Antrobus, Sir E.
Arbuthnot, Major G.
Arkwright, A. P.
Arkwright, R.
Ayrton, rt. hon. A. S.
Aytoun, R. S.
Baggallay, Sir R.
Bagge, Sir W.
Bailey, Sir J. R.
Baker, R. B. W.
Ball, J. T.
Barclay, A. C.
Baring, T.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bass, A.
Bass, M. T.
Bateson, Sir T.
Bathurst, A. A.
Bazley, Sir T.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, G. C.
Bentinck, G. W. P.
Benyon, R.
Beresford, Lt.-Col. M.
Biddulph, M.

Bingham, Lord
Birley, H.
Blennerhassett, Sir R.
Bolckow, H. W. F.
Bonham-Carter, J.
Booth, Sir R. G.
Bourke, hon. R.
Bourne, Colonel
Bouverie, rt. hon. E. P.
Bowring, E. A.
Brand, rt. hon. H.
Brassey, T.
Bright, R.
Brise, Colonel R.
Bristowe, S. B.
Broadley, W. H. H.
Brooks, W. C.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bruce, Sir H. H.
Bruen, H.
Buckley, Sir E.
Buller, Sir E. M.
Bury, Viscount
Buxton, C.
Buxton, Sir R. J.
Cadogan, hon. F. W.
Cameron, D.
Cardwell, rt. hon. E.
Carington, hn. Capt. W.
Cartwright, F.
Castlerosse, Viscount
Cave, rt. hon. S.
Cavendish, Lord F. C.
Cavendish, Lord G.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chaplin, H.
Charley. W. T.
Child, Sir S.
Cholmeley, Sir M.
Clive, Col. hon. G. W.
Clowes, S. W.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Collins, T.
Colthurst, Sir G. C.
Conolly, T.
Corbett, Colonel
Corrance, F. S.
Corry, rt. hon. H. T. L.
Cowper, hon. H. F.
Cowper-Temple, right hon. W.
Crawford, R. W.
Crichton, Viscount
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Dalrymple, C.
Dalrymple, D.
Damer, Capt. Dawson-
Davenport, W. B.
Dawson, R. P.
Denison, C. B.
Denman, hon. G.
Dent, J. D.
Dick, F.
Dickinson, S. S.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Dodson, J. G.
Dowdeswell, W. E.
Dowse, R.
Duff, M. E. G.
Duff, R. W.
Duncombe, hon. Col.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Edwards, H.
Egerton, Capt. hon. F.
Egerton, hon. A. F.
Egerton, hon. W.
Egerton, Sir P. G.
Elcho, Lord
Ellice, E.
Elliot, G.
Enfield, Viscount
Ewing, A. O.
Feilden, H. M.
Fellowes, E.
Fielden, J.
Finch, G. H.
FitzGerald, right hon. Lord O. A.
Fitzwilliam, hn. C.W.W.
Fitzwilliam, hon. H. W.
Floyer, J.
Foljambe, F. J. S.
Forde, Colonel
Forester, rt. hon. Gen.
Forster, rt. hon. W. E.
Foster, W. H.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Fowler, R. N.
Gallwey, Sir W. P.
Galway, Viscount
Garlies, Lord
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldney, G.
Gooch, Sir D.
Gordon, E. S.
Gore, J. R. O.
Gore, W. R. O.
Goschen, rt. hon. G. J.
Gower, hon. E. F. L.
Gower, Lord R.
Grant, Colonel hon. J.
Graves, S. R.
Gray, Lieut.-Colonel
Greaves, E.
Greene, E.
Gregory, G. B.
Grey, rt. hon. Sir G.
Grieve, J. J.
Grosvenor, Capt. R. W.
Grosvenor, hon. N.
Grosvenor, Lord R.
Grove, T. F.
Guest, A. E.
Guest, M. J.
Gurney, rt. hon. R.
Hambro, C.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hamilton, I. T.
Hamilton, Marquess of
Hanmer, Sir J.
Harcourt, W. G. G. V. V.
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Hartington, Marquess of
Hay, Sir J. C. D.
Headlam, rt. hon. T. E.
Henley, rt. hon. J. W.
Henley, Lord
Henry, J. S.
Herbert, rt. hon. Gen. Sir P.
Hermon, E.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Heygate, W. U.
Hibbert, J. T.
Hick, J.
Hill, A. S.
Hodgkinson, G.
Hodgson, W. N.
Holford, R. S.
Holms, J.
Holmesdale, Viscount
Holt, J. M.
Hood, Cap. hn. A. W. A. N.
Hope, A. J. B. B.
Hornby, E. K.
Howard, hon. C. W. G.
Hughes, T.
Hughes, W. B.
Hunt, rt. hon. G. W.
Jackson, R. W.
James, H.
Jardine, R.
Jenkinson, Sir G. S.
Johnston, A.
Johnston, W.
Johnstone, Sir H.
Jones, J.
Kavanagh, A. MacM.
Kay-Shuttleworth, U. J.
Kekewich, S. T.
Kennaway, J. H.
Keown, W.
Kingscote, Colonel
Knight, F. W.
Knightley, Sir R.
Knox, hon. Colonel S.
Lacon, Sir E. H. K.
Laird, J.
Lancaster, J.
Langton, W. G.
Laslett, W.
Learmonth, A.
Lefevre, G. J. S.
Lennox, Lord G. G.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Lloyd, Sir T. D.
Lopes, H. C.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, J.
Lowther, W.
Lyttelton, hon. C. G.
Mackintosh, E. W.
M'Combie, W.
M'Lagan, P.
Mahon, Viscount
Maitland, Sir A. C. R. G.
Malcolm, J. W.
Manners, rt. hon. Lord J.
March, Earl of
Martin, P. W.
Matthews, H.
Mellor, T. W.
Milles, hon. G. W.
Mills, C. H.
Mitchell, T. A.
Mitford, W. T.
Monk, C. J.
Montgomery, Sir G. G.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Nicol, J. D.
Noel, hon. G. J.
North, Colonel
Ogilvy, Sir J.
O'Neill, hon. E.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Palmer, Sir R.
Parker, C. S.
Parker, Lt.-Col. W.
Patten, rt. hon. Col. W.
Peek, H. W.
Pelham, Lord
Pell, A.
Pemberton, E. L.
Percy, Earl
Phipps, C. P.
Portman, hon. W. H. B.
Powell, W.
Raikes, H. C.
Read, C. S.
Ridley, M. W.
Robertson, D.
Round, J.
Royston, Viscount
Russell, A.
Russell, Sir W.
Sackville, S. G. S.
Salt, T.
Samuda, J. D.' A.
Samuelson, B.
Sandon, Viscount
Sclater-Booth, G.
Scott, Lord H. J. M. D.
Scourfield, J. H.
Selwin-Ibbetson, Sir H. J.
Sherlock, D.
Sherriff, A. C.
Shirley, S. E.
Simonds, W. B.
Sinclair, Sir J. G. T.
Smith, A.
Smith, F. C.
Smith, R.
Smith, S. G.
Smith, W. H.
Somerset, Lord H. R. C.
Stanley, hon. F.
Stansfeld, rt. hon. J.
Stapleton, J.
Starkie, J. P. C.

Steere, L.
Stone, W. H.
Storks, rt. hon. Sir H. K.
Straight, D.
Sturt, H. G.
Sturt, Lt.-Colonel N.
Sykes, C.
Talbot, C. R. M.
Talbot, J. G.
Talbot, hon. Captain
Taylor, rt. hon. Colonel
Thynne, Lord H. F.
Tipping, W.
Tollemache, J.
Tollemache, hon. F. J.
Tracy, hon. C. R. D. Hanbury-
Trevor, Lord A. E. Hill-
Turner, C.
Turnor, E.
Vance, J.
Verner, E. W.
Verner, Sir W.
Verney, Sir H.
Vickers, S.
Vivian, Capt. hn. J.C.W.
Walker, Major G. G.
Walpole, hon. F.
Walpole, rt. hon. S. H.
Walsh, hon. A.
Walter, J.
Waterhouse, S.
Welby, W. E.
Wells, W.
West, H. W.
Wethered, T. O.
Wharton, J. L.
Whatman, J.
Wheelhouse, W. S. J.
Whitbread, S.
Whitwell, J.
Williams, Sir F. M.
Williamson, Sir H.
Wilmot, H.
Winn, R.
Wise, H. C.
Wyndham, hon. P.
Wynn, C. W. W.
Wynn, Sir W. W.
Yarmouth, Earl of

TELLERS.
Adam, W. P.
Glyn, hon. G. G.

TRUST FUNDS INVESTMENTS BILL.

(*Mr. Stephen Cave, Mr. Russell Gurney, Mr. Crawford.*)

[BILL 123.] SECOND READING.

Order for Second Reading read.

MR. STEPHEN CAVE, in moving that the Bill be now read a second time, said, by the Companies Act of 1863 it was enacted that companies authorized to issue debenture stock might raise the whole of the money which they were empowered by Parliament to raise, by means of such stock—that was, they were empowered to convert the whole of their debentures into debenture stock. That enactment was rendered practically inoperative by the provision that that debenture stock should not be issued at a higher rate than 4 per cent. That limitation was put an end to, as far as railway companies were concerned, by the Railway Companies Act, which it was his duty to bring into the House in 1867. Since then the advantage had been taken of that provision to such an extent that almost all the principal railway companies had converted their debentures into debenture stock as far as they had been able to do so. By that means an effect had been produced which did not at the time occur to himself, nor, as far as he knew, to anyone else—namely, that considerable embarrassment and inconvenience had been occasioned to trustees, who, being authorized to invest in debentures which they had been in the habit of renewing from time to time, as they fell due, found themselves obliged to resort to some other, and perhaps inferior investment, in consequence of the offer being made to them to be paid off, or to accept debenture stock in place of the debentures: and it having been held, though he believed high legal authorities were not unanimous, that debenture stocks were not within the terms of their trust. Complaints having been made to him from various quarters, he thought himself to some extent bound, as the innocent cause of the difficulty, to devise some remedy. He now proposed that in all cases where trustees were allowed to invest in debentures, they should, unless expressly forbidden by their trust deeds, be empowered to invest in debenture stock. The course which he had taken was not without precedent, as two Acts of Parliament had been passed, the 22 & 23 *Vict.*, c. 35 (1859), and the 30 & 31 *Vict.*, c. 132 (1867), by which trustees were empowered, whatever their trusts were, to invest in Bank Stock, and various India Stocks, and he thought that no danger could possibly arise from this much more limited proposition. In fact, the bar which now existed had in many instances driven investors from railways of the highest class which were converting their debentures into stock to those of inferior reputation, which were obliged to borrow in every way they could. It might, of course, be objected that the holder of stock could not claim his capital, and if he wanted it he must undergo the risks and chances of the money market. That was undoubtedly the case, and trustees would have to consider it in chosing their investments; but the same inconvenience attached to Bank and India Stock, and even to Consols, and he believed he was not wrong in saying that in times of political crisis there was more fluctuation in all those stocks than in first-class railway debenture stocks, and the risk of loss in that way must be set against the loss of income, which was suffered when a 5 per cent debenture was paid off at a time, perhaps, when the Bank rate was at 2 per cent. That that was the feeling of the public was evinced by debenture stock being almost invariably included in modern settlements, drawn up since 1867. He might explain that debenture stock did not make the holder a shareholder, nor gave him any right to interfere in the management of a company. He was as much a simple creditor as if he held the old form of debentures. He might say, in conclusion, that he had mentioned his intention to several leading legal authorities, learned Judges, and others, to eminent solicitors, and mercantile men, and he had heard but one opinion as to the advantage of such a modification of the law. Indeed, the fact that his right hon. and learned Friend (Mr. Russell Gurney), and his hon. Friend the late Governor of the Bank, Member for the City (Mr. Crawford), had allowed him to place their names at the back of his Bill, was sufficient warrant that this was no ill-judged or dangerous experiment.

Motion *agreed to.*

Bill read a second time, and *committed.*

INCOME TAX AND INHABITED HOUSE DUTIES BILL—[BILL 126.]

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter.*)

THIRD READING.

Order for Third Reading read.

THE CHANCELLOR OF THE EXCHEQUER said, it would be necessary to re-commit this Bill, in order to insert a clause with reference to the annual tea duties.

MR. HUNT observed that, though they had been told by the Prime Minister that this Bill was merely a formula, it contained a clause which was quite an innovation, providing that the assessment of the house duties should be made by a Government officer instead of by five independent assessors. He thought that the attention of the House should have been called to this matter, and that the country should have time to consider it.

Order *discharged;* Bill *re-committed* for *Thursday.*

TITHE RENT-CHARGES (IRELAND) BILL.

On Motion of Mr. HERON, Bill to amend the Laws relating to the variation of Rent-charges in lieu of Tithes in Ireland, *ordered* to be brought in by Mr. HERON, Sir JOHN ESMONDE, and Mr. MURPHY.

Bill *presented,* and read the first time. [Bill 132.]

COURTS OF JUSTICE (ADDITIONAL SITE) BILL.

On Motion of Mr. AYRTON, Bill to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Lands for improving the site of the Courts of Justice and the various Offices belonging to the same, *ordered* to be brought in by Mr. AYRTON and Mr. BAXTER.

Bill *presented,* and read the first time. [Bill 133.]

House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, 10*th May,* 1871.

MINUTES.—SELECT COMMITTEE—Protection of Infant Life, *nominated.*

PUBLIC BILLS—*Ordered—First Reading*—East India Stocks (Dividends)* [134]; Metropolitan Buildings and Management* [135].

Second Reading—Registration of Parliamentary Voters [19]; Registration of Voters (No. 2)* [22]; Charities, &c. Exemption [23], *debate adjourned.*

Committee—Report—Trust Funds (Investments)* [123].

Withdrawn—New Forest* [81].

REGISTRATION OF PARLIAMENTARY VOTERS BILL—[BILL 19.]

(*Mr. Henry Robert Brand, Sir Charles Dilke, Mr. Andrew Johnston, Mr. Collins, Mr. Rathbone.*)

SECOND READING.

Order for Second Reading read.

MR. H. R. BRAND, in rising to move that the Bill be now read a second time, said, that his apology for introducing the measure was, that it was founded on the Reports of two Select Committees; that it was calculated to conciliate hon. Members on both sides of the House; and that it aimed at ameliorating, if possible, the present unsatisfactory state of the law. He was sure his hon. Friend opposite the Member for South Leicestershire (Mr. Pell), who was going to move the rejection of the Bill, and hon. Members who had avowed their intention to oppose it, would give its framers credit for having endeavoured to make the machinery of registration more simple, to make the process of registration less annoying and vexatious, and to reduce, if possible, the expenses incurred at elections, both by candidates and to sitting Members. In 1864, on the Motion of the Chairman of Ways and Means, a Select Committee was appointed to inquire into the laws affecting registration of county votes. That Committee reported, and on their Report a Bill was introduced which passed the second reading in this House; but, for some reason which prevented many Bills from passing through the House, it had proceeded no further. In 1865, a Bill had been introduced by the right hon. Member for the county of North Northampton (Mr. Hunt), which passed into law, making some changes in registration, but it did not make any sweeping reform in the law. Since that year the Reform Act of 1867 had come into operation, and had made great changes in our electoral system—in fact, making the confusion in this matter worse confounded. All the franchises created under that Act were, in addition to, and not in substitution of, the then existing franchise. He would point out that the voluntary system, by which persons belonging to certain classes were registered on sending in their claims, was still continued; that the new £12 occupation qualification which seemed to include all those qualified under the old Chandos Clause really did not; and that great inconvenience was caused by the overseer having to make out a fresh list of these £12 voters every year—an inconvenience to which he would presently allude. The lodger franchise, too, was practically inoperative; and he would quote a letter from the vestry clerk of Chorlton, a township of Manchester, stating that only two lodgers out of a thousand were registered: and in addition to these, the Registration Act did not provide for the official registration of a new class of voters, inhabitant occupiers, although it was clearly intended that they should be put on the lists by the overseers. The existing registration law, however suited to the old franchise, was totally inadequate to meet present circumstances; for it was based on the strange principle, that any single voter had the right to put a voter to the expense and trouble of proving his right to be on the list. The result in Liverpool was that, in 1868, out of 40,000 names, 15,000 claims had to be separately considered by four revising barristers, who were occupied three weeks in the work of revision. There were 9,000 objections, of which 4,700 failed; fines were imposed in at least 500 cases, and they would have been imposed in 1,800 other cases, if the objections had not been withdrawn. The figures proved that some better check upon factious objection was required, and the opportunities for disfranchisement were so great that election agents were unable to resist them. The omission from the overseers' lists of so many persons entitled to vote proved that the system of registration required thoroughly overhauling; for, if a working man had to support a claim or to answer an objection, the securing of his vote involved the loss of a day's wages. He proposed by the Bill to remedy existing evils—as to objections, by throwing greater responsibility on the registration officers, and by providing for the official correction of the lists prior to revision; as to claims in counties, by simplifying the forms and the lists; and in boroughs, by making provision for the continuous registration of lodgers, requiring formal notice in case of change of residence. It was possible to devise systems of registration theoretically more perfect than that which this Bill would establish; but he had only striven to make that which existed as perfect as possible, for, however desirable, the Scotch system could not be adopted in this country, because we had not corresponding valuation lists. The date of qualification was proposed to be altered, with the view of giving more time for registration, bringing the register earlier into force, and shortening the time of the period of occupation as a qualification to vote. At present the claim was sent in on the 20th of July, it was made public on the 1st of August, and then there remained only 18 days—nominally 21—during which a third party could investigate the claim, and see whether it was valid. The overseer had also on the 31st of July to make out a list of persons qualified to vote, and publish it on the 1st of August. By this Bill, the date of making the claim would be thrown back to the 31st of May, and thus the whole of June would be given to the preparation of the first list, and the whole of July for complaints and objections; and in order that this might not have a disfranchising effect, it was proposed to shorten the period of occupation, making it 10 months from the 31st of May. The working of the Bill necessitated the appointment of a registrar of voters, which was provided for by the 3rd clause; and this he considered the most important part of the measure; for it was necessary that the lists should be in charge of competent and trustworthy officials; whereas, hitherto, in many cases, the officers had been incompetent to perform their duties properly; and hence the work had fallen into the hands of third parties—namely, political associations. The Committee of last year reported in favour of appointing paid assistant-overseers as registrars for districts, if the appointment of such officials should become regular and compulsory; but their appointment had not become general, nor could the Poor Law Board issue compulsory orders for their appointment. Again, the Petty Sessional divisions might have been taken as the area for registration purposes, and the clerks to the magistrates nominated as registrars; but the objection to this plan was, that the clerks to the magistrates could not possibly have the same amount of knowledge with regard to occupation as the Poor Law officials. It had therefore been determined to select the Poor Law Union as the area for registration purposes, and to make the clerk to the Assessment Board the registration official. In order to prevent that functionary from acting in a party spirit, the revising barrister would be empowered to fine him heavily in the event of his neglecting his duty, and the Board which appointed him might, if it thought fit, dismiss him without compensation. With respect to polling-places, the Bill allowed the magistrates to arrange for as many as they pleased, provided the polling districts did not overlap the boundaries of the Unions. It had been found impossible to establish a self-acting system of registration with regard to owners as well as occupiers; but it had, however, been deemed expedient to alter that provision in the Reform Act which required the overseers to make out in each year a fresh list of all persons qualified to vote in respect of occupation under the Reform Act of 1867. This list includes all owners occupying their own freeholds, and nearly all the occupiers under the Chandos Clause, so that in districts where the majority of voters belongs to these classes the list had to be made out only to be erased. This might, indeed, be remedied to a certain extent by repealing the Chandos Clause; but, unfortunately, such a course of procedure would have a disfranchising effect in certain cases. A clause had therefore been inserted in the Bill confining this list to persons who were not already on the rate books. At present there were five complicated county lists put before the revising barrister; but the Bill proposed that henceforth the registration officer should make out only three lists, which would be consolidated into two by the clerk of the peace. There would be, first, a list of all occupiers qualified on the 31st of May; secondly, a correction of the previous list, published on the 10th of August; and, thirdly, a list of the claims and objections relating to qualifications in respect of occupation to be allowed or disallowed by the registrar. These lists would be consolidated by the clerk of the peace into two lists. By Clauses 35 and 36 it was provided that where a borough was a municipal as well as a Parliamentary borough the two lists should be consolidated, although it had been found impossible to make them completely identical. If a voter had more than one qualification, and did not select one of them, the revising barrister would be empowered to put him down for the ownership, and expunge the other qualifications. It had not been thought advisable to throw the whole of the responsibility on the registration officer. Where any person is entered more than once upon the register, the registrar is authorized to object to any and every entry of the name of such person, and to send notice of objection. Any person who thus finds his name included in the county list for several qualifications may serve a claim upon the registrar electing to be registered for one such qualification. By the 8th clause the registration officer was made a testing agent to a certain extent; but there was an appeal from this officer to the revising barrister. With regard to costs, the presumption would be in favour of the voter qualified in respect of ownership, if he were on the existing register, and no costs in that case would be given; but new claimants would have to prove their case, and the presumption, of course, would be in favour of the objector. It was intended to retain the whole machinery of revision Courts, as being positively essential to a system of registration; but it was proposed that in future the appointment of the revising barristers should be vested in the Court of Common Pleas, which would probably exercise its patronage more impartially than a single Judge. Then the revising barristers must be of seven years' standing at the bar, instead of three, as at present, and they would be paid according to the amount of work they performed, in lieu of a fixed payment of 200 guineas. After remarking that he should be personally quite contented if the statement he had made led to a fair discussion on the subject, and to the adoption by the Government of so important a Bill, the hon. Member concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Henry Robert Brand.*)

Mr. PELL, in rising to move that the Bill be read a second time that day three months, said, that, as a Member of the Select Committee of last year, he had acquired some information which he should make use of in opposing the further progress of this measure. With regard to that portion of the Bill which related to the borough franchise he should say very little indeed, but would confine his remarks mainly to the process of county registration, which it was alleged would be greatly simplified by the Bill. This he denied, and he likewise disputed the statement that the present measure was founded on the Reports of the two Select Committees which investigated the subject of registration generally; for the Committee of 1870 reported that the system of making claims on the score of property must continue. They were also unanimously of opinion that unqualified persons did come on the register with undue facility, and they expressed their belief that that evil would be best checked, not by such a scheme as was embodied in this Bill, but by the operation of party registration societies. The same Committee came to the conclusion that a self-acting registration of votes was not possible for those voters whose qualifications depended on property, and that it would not be worth while to attempt to establish a scheme which would deal with only one portion of the voters for a county—namely, the £12 occupiers. Speaking generally, there was nothing in the Report of the Select Committee of last year that would justify the House in passing this Bill, which would neither simplify matters in any way, nor tend to diminish the expense of registration; on the contrary, the changes proposed by the Bill, implying three different processes as necessary to be gone through to secure the desired result, would involve great cost to the ratepayers, many of whom were not voters, but all of whom would have to bear their proportion of the cost. That was unjust to the minority. The important matters and privileges dealt with by the Bill, the number of its clauses and its repealing schedules, all showed that it was a measure far too complex to be dealt with by any other than the Government, and considering that the inconveniences of the proposed changes would be great; that the power given to the registrar proposed to be appointed, to examine claims without summoning witnesses, or holding anything in the shape of an open Court, was, to say the least, extraordinary; and that the labours of registration societies would be increased by the Bill, better reasons were required in support of it than those advanced by the hon. Member who had charge of the measure. He would therefore move that it be read a second time that day three months.

Mr. C. S. READ, in seconding the Amendment, said, that if the hon. Member (Mr. H. R. Brand) had confined himself to embodying the recommendations of the Committee in his Bill he would have supported him. He, however, proposed a new Reform Bill, and he agreed with his hon. Friend the Member for South Leicestershire (Mr. Pell) that, as the measure proposed to interfere with at least six Acts of Parliament, only the Government ought to introduce it. The hon. Member sought to simplify that which it was impossible to simplify. It was easy for the £12 householder to find his way on the register; and it was not supremely difficult for one having a property qualification to make his claim and prove it. The proposal to make the clerk to the Assessment Committee the registrar was objectionable, as he was frequently the magistrates' clerk also; and it was desirable to keep the administration of justice entirely severed from politics; and no better Court of Appeal could be conceived than the present, because it was presided over by officers free from local influence. The proposed additional charge on the rates would be especially unjust to county ratepayers as a body, as many of them had no votes, and owners of property did not pay their rates directly. Under the Bill, the whole work of disputing and defending claims would have to be done twice over; and the revising barrister, who was now well paid for doing very little, would receive his salary for doing almost nothing.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Pell.*)

MR. COLLINS said, he thought the House ought rather to discuss the principle of the Bill than its clauses; and he must seize the present opportunity of stating that a long experience of county registration convinced him of the necessity of a new Registration Bill, which should facilitate the enrolment of all persons who were properly qualified to vote. With regard to counties, his contention, from personal experience, was that as far as possible the forms of the lists should be simplified, so as to minimize the action of registration agents, either on one side or the other. In counties the amount of qualification should not be considered so much as the number of persons qualified. He believed rating would become more and more the principal ingredient of county qualification, as, in the West Riding of Yorkshire, for instance, a large proportion of the voters were rated occupiers, and the number was constantly increasing. It was highly important, therefore, that a correct registration should be had of those who voted in right of occupation, and they ought to be considered before the persons who voted in right of ownership, because they were a migratory class. He firmly maintained that the list ought not to be made by the overseers of the parish, for it was an impossibility for them to do so under the present regulations. The proper unit of registration should be the Union; and the proper registrar was the clerk to the Union, who was appointed not on account of political considerations, who would have the names of voters constantly before him, and whose misconduct would cost him his position. How could duplicate registration be prevented if the lists were made out by each separate parish? He suggested that Parliament should assert, by reading this Bill a second time, that our registration laws required amendment, and he hoped the Government would, upon the basis of that assertion, take up the matter as soon as possible, as he was of opinion, that having given the franchise, it was their duty to see that no obstacles were thrown in the way of those who endeavoured to obtain it.

MR. DODSON objected to the dictum that all legislation should be initiated by the Government; on the contrary, it was most desirable that unofficial Members should bring forward measures and obtain the sense of the House upon them, and he thought the hon. Member (Mr. H. R. Brand) deserved the thanks of the House for the care and ability he had bestowed upon the one under consideration. The county registration might be described by the word unsatisfactory. The parish overseer was the person to make out the lists; and the register, which ought to be a complete and accurate one, was a result of the action of contending political parties in the county, each struggling, not for a just, but for a favourable register. It was true the Bill did not remove all the evils, for some of the evils were irremovable; but it did the next thing to removal, it attempted to mitigate them. The hon. Member for South Norfolk (Mr. C. S. Read) said that the clerks of the Union were not fit to carry out the business of registration, but the overseers were less fitted for it. He regretted that the Bill did not go further than it did, and must say it contained many good points. It took a step in advance, and, in his opinion, in the right direction. The objection that it was improper to throw the charge of registration on the ratepayers, because some of them were not voters, applied equally to the proposal to throw the charge on the Consolidated Fund, because all taxpayers were not voters. The objections raised to the clauses of the Bill were not sufficient to justify the House in rejecting the Motion for a second reading, and he trusted the measure would be allowed to go into Committee and there be discussed in detail; accordingly, he would appeal to the hon. Member for South Leicestershire to withdraw his Amendment.

MR. HENLEY said, the Bill was admittedly imperfect, and therefore it would be as reasonable that it should be withdrawn, as that opposition to it should be discontinued. If the Bill was read a second time the House would be pledged to the principle, and the Government might thus be hampered at some future day; whereas, if the Bill was withdrawn, they would be perfectly free, and enjoy the advantage of the present discussion. So far as he (Mr. Henley) was concerned, he thought the principle of the Bill would not introduce an improvement into counties. As regarded the registrar, although the overseer was not the most desirable official, he was preferable to the clerk to the Union; and he objected to giving the registrar the power of striking off duplicate insertions on the register, because an occupier who was a freeholder might sell his freehold after the lists were completed, and if his occupation qualification was struck off, he would have no right to vote unless he strained the law, and voted as a freeholder. The Bill would also make the clerk of the Assessment Committee a *quasi* judge, and make it imperative on the judge who was to sit on appeals to confer beforehand in regard to the very point on which he might thus form a conclusion before the question was tried; that he thought a curious provision, to say the least of it. He did not wish to express an opinion either for or against appointing different machinery, because everyone knew that the overseers were not the persons best fitted for the office; but he did not think that the officers named in the Bill would be an improvement. He hoped that the Bill would be withdrawn, as the question was admitted on all hands to be one that might well be taken up by the Government; but they could not ask them to do so this Session, after what happened a night or two ago; but he thought they would have a long reign, and ample opportunity before a dissolution came of legislating on the subject.

Mr. A. JOHNSTON said, that the state of the Public Business was a sufficient answer to the suggestion that this subject should be left to be dealt with by the Government, for seeing that the Prime Minister had already been obliged to withdraw two of his principal measures, what chance was there that he could undertake to assume the responsibility of any fresh subject? As far as he understood the Bill, the clerks of Guardians would have no more power than the overseers now; but he must say, in regard to the latter gentlemen, that although the system which the Bill aimed to remedy was a "cheap and nasty" one, yet it must be remembered that the overseers themselves were often forced to undertake the task against their will, consequently, in many cases, the duties were performed in a very loose manner. In regard to the objection that the Bill did not follow strictly the recommendations of the Committee, he would remind the House that if they were to wait till all those recommendations were to be carried out, they would have to wait a very long time indeed. If the measure then before the House would enable Members to obtain a seat in that Assembly cheaper than at present, it would, in his opinion, be a very good thing to pass it.

Mr. WHEELHOUSE said, he thought that particular measure was one which, if introduced at all, should be introduced by the Government on their own responsibility. That Bill and the measure next on the Paper — Registration of Voters (No. 2) Bill—taken together, involved a large question—namely, the entire reversal of the whole policy of this country for years past as regarded the registration of voters. Those two Bills would, moreover, throw a very large additional expense on the local rates of every county and borough, while they would also place the registration of voters in boroughs in the hands of one man—a salaried officer, the nominee of the Town Council or some other local body, in which party feeling often ran high; an officer, too, who might be swayed by political bias, and who would be practically responsible to nobody but the revising barrister. He strongly objected to any such arrangement, holding that political rights were far too sacred a matter to be left in the hands of any single paid official so chosen; and besides, it would be impossible in a large borough like that which he represented (Leeds) for one man to do satisfactorily the work now done by the overseers of the several townships of which the borough was composed. The overseers were generally plain, sound, common-sense men of business, anxious to do their duty; they acted under the influence of public opinion, and in nine cases out of ten they were not less competent than the class of persons who would be made registrars under that measure, who would be practically irresponsible. He thought it would be much better for the Government to introduce an efficient measure, and not leave it in the hands of an independent Member.

MR. BRISTOWE said, he could not support the Bill as it stood, although its subject was one well worthy of candid and careful consideration. His own experience as a revising barrister convinced him that under that measure the cost of county registration would be at least trebled; and another strong objection which he took to the Bill, was that it conferred on the registrars not only ministerial but also judicial functions. Again, it was proposed that the revising barrister, who was to be appointed in March, should act as a sort of assessor to the registrar, and afterwards sit as a Judge of Appeal from that very registrar's decisions. The duties of the registrars ought to be merely ministerial, like those of the present overseers. The Courts of the revising barristers were now tribunals entirely above suspicion; and he did not think it would be expedient that the revising barristers should be appointed by the Court of Common Pleas, instead of by the senior Judge going circuit at the Summer Assizes, as at present. He should be sorry to see the power of appointment transferred to the Court of Common Pleas. In short, he thought the Bill contained many valuable suggestions for the improvement of the present law; but before altering that law, it ought to be shown that the principles propounded in this measure would be a decided improvement on the law as it now stood.

SIR CHARLES W. DILKE said, that he could not find in the Bill any provision authorizing the printing of parish lists, but he supposed they were included in the Union list, and that a considerable saving would be effected thereby. He thought that the hon. and learned Member for Leeds (Mr. Wheelhouse) was to some extent wrong in the remarks he had made upon the Bill, for the hon. and learned Gentleman was a Member of a Committee before which the whole of the suggestions forming the basis of that Bill came, and he did not then make any remarks, but allowed the Report to pass without raising any objection. With regard to the question of registrars, he thought it was one that could best be dealt with in Committee; he must say the officers appointed at the present time no doubt did their duty very well, but that was not the point — the point was, whether there was at present as much security that they would perform their duty in such a manner as it would be performed by the officers proposed by the Bill. He thought not. The overseers were shifting officers and changed from year to year; whereas the registrars would be stationary, and would consequently gain a greater amount of experience than if they were migratory, and suggestions coming from them would be of greater weight than any given by overseers. As far as borough registration was concerned, he denied that the Bill would have the effect of increasing the cost. They had gone carefully into that point as regarded Scotland, and found that in Edinburgh the registration cost 8*d*. per vote, including printing. In England the cost would be found now to come quite up to that amount, if it did not exceed it, and he thought the operation of the Bill would not cause an increase. There was one important point to which he wished to call the attention of the House—namely, that portion of the Bill relating to lodger registration. The House never intended that the lodgers' franchise should be a mere mockery; but that had turned out to be the case, for in London, where the number of lodgers was estimated at 200,000, in 1868 the number of lodgers on the registry was only 15,000, but in 1869 the number was further reduced to 4,000. Evidence was taken by the Committee to show the difficulties which existed in the registry of lodgers, and various remedies were proposed. Now, in his opinion, the recommendations of the Committee which were incorporated in the Bill would secure the desired results, without any danger of the multiplication of fictitious votes. He thought sufficient reason had been shown for taking action in the matter, especially as there was no public duty which was performed in so loose and objectionable a way as that of registration. A large number of those to whom the House had intended to give the franchise had had it withheld from them by arbitrary and unintelligible distinctions, to remedy which the Bill proposed to put the lodger in the same position as the householder as far as registration was concerned.

Mr. BRUCE said, he thought it would be admitted upon all sides that there could hardly be a subject more worthy to occupy the attention of Parliament than that of endeavouring to secure a good and perfect register of Parliamentary voters. The measure before the House, so far as the boroughs were concerned, embodied the opinion of every Member of the Select Committee which had inquired into the subject; and, as regarded counties, it embodied the opinion of the majority; and, although the measure in some of its details had been successfully impugned by more than one hon. Gentleman, and more particularly by the right hon. Member for Oxfordshire (Mr. Henley), whose eye rarely failed to detect the weak points in a Bill, yet the main objects seemed to him excellent, and the measure was founded as near as possible upon the principles on which, in this matter, they acted with so much success in Scotland. The objection to cost, and one or two other matters, were objections of detail which could be met in Committee. But it was said that, however good the measure might be, it was one which ought to be brought forward by the Government; now, considering the state of business in this Session, and the number of remanets which would probably be carried over to the next, he could not undertake to say that the subject would speedily occupy the attention of Government, and under those circumstances he thought it was the duty of the Government to give every possible facility and assistance to those independent Members who were industrious enough to initiate legislation as to a matter which was admitted to be of great importance. He was bound to say, having heard the introductory statement of the hon. Gentleman who introduced the Bill, that there was no Member of the Government or of the House who could have put the provisions of the Bill more clearly and ably before the House than did that hon. Gentleman, and, considering the acknowledged want of this measure, the main principles of which had not been successfully impugned, he should, on the part of the Government, be happy to give his vote for the second reading.

Colonel BERESFORD said, he could not support the Bill, as he believed there was no wish on the part of the country for the change which it proposed.

Sir Charles W. Dilke

Mr. GATHORNE HARDY said, he must oppose the Bill, as he objected altogether to the principle of handing over to the clerks of a Union the duty which was at present performed by the overseers. Many of the clerks of Unions were appointed for political reasons, and were political agents, and it was therefore very objectionable to hand over this work to them; and besides that consideration, it was very probable that many of those gentlemen would object to the proposed change, inasmuch as if these duties were to be imposed upon them they would be deprived of the power of acting as political partizans. Even if the change were made, the lists would still be made out in the manner in which they were made out now. The Union clerks would then revise the overseers' lists, taking advice as to their proceedings from the revising barristers, before whom any appeals from their decisions were ultimately to go. He objected to handing over to the Union clerks duties which ought not to be entrusted to them, and he objected to those clerks being invested with functions of a judicial character.

Mr. VERNON HARCOURT said, as Chairman of the Committee which sat upon the subject, he would point out that on that Committee both sides of the House were represented in an equal manner, and after hearing evidence from all quarters, the Committee came to a unanimous conclusion in favour of this change. The right hon. Gentleman who spoke last (Mr. G. Hardy) was wrong in supposing that the lists of voters were generally in boroughs prepared by the overseers. The overseers were nominally responsible; but the persons who really made out the lists were the rate collectors; and it was not a good thing to leave those persons nominally responsible who did not do the work. The right hon. Gentleman had also spoken of the Union clerks as political agents; but the overseers and rate collectors were surely quite as liable to entertain strong political views; while as to the notion that these clerks were to exercise judicial functions, that was an entire misapprehension. The clerk would make out the list with the help of the rate collectors and the rate book, and this Bill would merely give him a second opportunity of revisal when he had made errors in his first list, and enable him to make only those corrections in it which would be made as a matter of course by the revising barrister, the object simply being that the working man should not be made to waste a day, and lose a day's wages on account of some merely technical and clerical error.

MR. HUNT said, he would quote from the clause of the Bill to show that it did confer judicial functions on the registrar.

MR. H. R. BRAND briefly replied, pointing out that most of the objections which had been made to the Bill were mere matters of detail, which could be considered in Committee upon the measure.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 151; Noes 135: Majority 16.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 19th July.

CHARITIES, &c., EXEMPTION BILL.

(*Mr. Muntz, Viscount Sandon, Mr. Wheelhouse.*)

[BILL 23.] SECOND READING.

Order for Second Reading read.

MR. MUNTZ, in moving that the Bill be now read a second time, said, in 1865, in "another place," in the Mersey Docks case, it was decided that, contrary to the custom and tendency of legislation for centuries—he might say for 200 years, at least—charities were exempt from rating; and there was no reason for this decision but a judgment on an abstract question of law. Under the 6 & 7 *Vict.*, however, special provision was made that all scientific and literary institutions should be exempted from rating; but charities had been rated, under the ruling of the before-named decision; the Governors had refused to pay; distress warrants had been issued; magistrates had refused to be parties to selling the beds and chairs of those living in charitable institutions; a *mandamus* had been issued commanding obedience to the law, and this was now *sub judice.* He understood that the Government intended to bring in a Bill relative to the rating of charities, that would probably be in a year or two; meanwhile, he wished to pass his Bill, which would simply enact that overseers, with the consent of the vestry, should have power to exempt charities from rating where they thought it desirable, until such time as a general law should pass, putting an end to all ambiguity on the subject. It had been asserted that many of those charities were highly endowed, and he would therefore leave it to the vestries to say whether they would exempt such institutions. It had been urged that it would be a great hardship to the rest of the ratepayers to be called on to pay for the rates of exempted charities; but what would be the result provided the charities did not exist? The amount collected in England for hospitals and charitable institutions was something enormous; and if those charities were done away with—if the poorer classes were thrown upon parochial infirmaries—the rating would amount to a very serious sum. All he asked was, that parishes might be allowed to tax themselves. It was a privilege allowed in most towns; and he would extend the privilege to parishes. He hoped that the House would agree to the second reading, if it was only to admit the principle of the measure.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Muntz.*)

MR. HARDCASTLE, in moving that the Bill be read a second time that day six months, said, he regretted that the Government Bill had been withdrawn. It seemed to him that charities must be very badly managed, if they could not afford to pay the small amount of rates levied on their property; and, again, supposing the charities to be exempt from rates, the rating of other property must be increased, while the presence of charities in a parish had often—too often, he might say—the tendency to increase the necessity for those rates. This Bill, or any Bill of this sort, proposed to collect from all ratepayers in a district an involuntary contribution to the funds of all hospitals and charitable institutions whatever; and he, as one of them, might, or he might not, approve of the object of the charity; but if an institution were relieved from the rates, he was, *pro tanto,* a subscriber to that institution.

MR. ALDERMAN LUSK, in seconding the Amendment, said, the existence of the Poor Law did away with much of the necessity in supporting the old charities, and in like manner the taxing powers of the school boards would do away with much charity and benevolence. Exceptional legislation of this kind was not desirable. There should be one law in a district. In the borough which he represented, exemption of charities from rating would in several parishes constitute a great hardship, as the number of houses occupied by institutions of this class was considerable; and what was conceded to them must be laid on others. The rating of charities should, in his judgment, be universal.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Hardcastle.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. PEASE said, the House would remember that, in the Session of 1869, a Bill was brought in proposing a compulsory exemption on behalf of Sunday and Ragged Schools. He took exception to the mode in which the Bill was drawn, and suggested an improvement which was ultimately adopted by the House, that the rating should be left optional on the part of the rating authorities. He hoped the Bill would pass, because the local authorities could best decide whether it was desirable that such institutions should be exempted from taxation; and he thought there were many hospitals in existence in regard to which it might be desirable that they should not be subjected to taxation.

Mr. GATHORNE HARDY said, the decision against the exemption of charities from taxation was made on the ground that there was in them no beneficial occupation by owner or occupier; and in the case of the Mersey Docks at Liverpool, the profit went to public purposes. The House must do one thing or the other; they must destroy all the exemptions, or they must lay down a general rule as to what exemptions should be allowed. Now, nothing could be so unjust to the charities as the proposition of the hon. Member for Birmingham, for a charity would not be rated by the vestry, where there was an advantage to be gained from it by a parish; but where a charity was participated in by nine or ten parishes then it would be rated. If they left it to the vestry to decide the question, it would not be decided upon the excellences of the charity, but on the advantage to be gained by the vestry. That was not the principle on which the House should act. After a great deal of consideration, the conclusion at which he had arrived was, that it would be wise to take away exemptions, and that all property that was occupied beneficially should be rated. A Bill had been passed exempting literary and scientific institutions from taxation; but controversy after controversy had arisen on the subject. Let Parliament do its own work; let the Legislature not throw the legislation of the country on the vestry and the magistrates; but if the Government came to a conclusion as to what it thought right in the matter, let them do it themselves. If they thought there should be exemptions, let them state what they should be; for the Bill did not go into the right of the question, it did not undertake to decide what should be exempt, and what should not; but proposed to refer the matter to some one else. He declined to give to the vestry power to decide what was for its own advantage, and at the same time to impose a rate on a beneficial institution. For those reasons he could not support the Bill.

Mr. GOLDNEY said, there could be no doubt that the exemption of charitable institutions from taxation excited the sympathies of everyone; but the exemption led to much litigation, and the Bill as drawn would add to it very materially. Under that Bill there would be the power of relieving that great hospital on the opposite side of the river from the payment of any rate which the Metropolitan Board of Works might impose upon its property. The Preamble recited that it had been usual to exempt hospitals from taxation; but when the occupiers were liable to be dismissed for breach of rules the whole building was rateable. There was actually one-fifth of this great Metropolis either eleemosynary or devoted to some charitable purpose. Were they to say that a mere vestry authority should give an assent to an exemption from rating? That would lead to a great amount of litigation. Parties had complained, and still did complain, that all would be bound to subscribe, by the exemption of charities from rates, to a charity of which they did not approve—a homœopathic establishment for instance. There existed what were known as the Licensed Victualers' Alms-houses, and many people did not like them; yet, by their exemption from taxation, they were made involuntary subscribers to them, inasmuch as they had to assist in making good the exempted taxation.

COLONEL SYKES said, it appeared to him that we were living in an age of humbug. There were those who affected a reputation for philanthropy, and who said they were desirous to promote the welfare and comforts of the poor, but when it came to a question of personal cost their philanthropy evaporated. Now, in what way could consideration be best shown for the sick poor than by provision for them in hospitals? There was scarcely a hospital in the country that paid its way. He was governor of one, and they could not make both ends meet, even by the aid of an annual dinner; and he must impress upon hon. Members that when they took off the exemption of the hospitals from taxation, they lessened and diminished the benefit which the hospital bestowed on the poor. Without these hospitals, if a working man became sick, or met with an accident, what could he do if he did not enter a hospital? His refuge could only be the union. In the cause of humanity, then, do not take off the exemption of the hospitals from taxation.

MR. FLOYER said, that to listen to what had fallen from the last speaker the hon. and gallant Member for Aberdeen (Colonel Sykes), one would imagine that there was no difficulty attending the exemption of hospitals from rating. But the reverse of this was the case; in the balance of difficulties, and he was disposed to follow the practice which had obtained through so great a number of years, and had become a custom of the country. Custom law was hardly inferior to statute law. The custom had been to exempt hospitals from rating, and nine-tenths of the population would support a Bill which would allow the exemption to be acted upon in future.

MR. COLLINS said, he thought that the feeling of the country was decidedly against the rating of those charities. He would, therefore, support the second reading.

MR. CRAUFURD said, he would remind the House that a Committee had been sitting for the two last Sessions on the subject, taking evidence on this and other matters; their Report would soon be ready, until then, he thought the second reading of the measure under consideration ought to be deferred. He objected to the principle of the Bill, which, curiously, exempted Ireland from its operation, but included Scotland, and yet its machinery was wholly inadequate to its operation in the latter country.

MR. HIBBERT said, the Government felt compelled to oppose the second reading of the Bill. He coincided in the objections urged by the right hon. Gentleman the Member for the University of Oxford (Mr. G. Hardy.) Those charities were increasing in number yearly, and if they were to carry the principle of exemption so as to relieve all such charities, the effect would be to greatly augment the burdens already thrown upon the ratepayers. It might be said that exemption would only occur at the wish of a majority, and with the consent of the ratepayers themselves; but it might be done by a majority, whose right to tax their fellow-ratepayers he denied. If this Bill passed, questions whether nunneries and similar establishments should be rated or not would be constantly arising, and occasioning much sectarian excitement and vexatious litigation.

MR. STANSFELD said, he was not surprised at the attempt of the hon. Member for Birmingham (Mr. Muntz) to obtain a snap division. He should be sorry to move the adjournment of the debate; and he had no wish that the Bill should become a dropped Order; but he must strongly object to a division being taken on it without a full discussion. His hon. Friend the Member for Birmingham, after a few words on the Preamble of the Bill, suddenly pulled up short and said he would not explain the policy of his measure at length, because he was anxious to obtain a division upon it before the time was too late. ["Divide."] If the supporters of the Bill desired a discussion upon it, he should not object to the adjournment of the debate. ["No, no!"] Did he understand that hon. Members would divide against the adjournment of the debate? ["Hear, hear!"] Then, it would be his duty to proceed with the discussion of the Bill. The question before the House, was not whether the Bill should be read a second time, but whether it should be read a second time without discussion. He objected to the Bill being read a second time without a full discussion, and without stating the views of the Government. The right hon. Gentleman concluded, amid considerable interruption, by moving the adjournment of the debate.

Mr. MUNTZ said, he must protest against the offensive statement of the right hon. Gentleman that he wanted to snap a division.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Stansfeld.*)

Question put.

The House *divided:*—Ayes 84; Noes 117: Majority 33.

Question again proposed, "That the word 'now' stand part of the Question."

Debate arising.

And it being a quarter before Six of the clock, the Debate stood adjourned till *To-morrow.*

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Mr. HENLEY said, the Government had just set such a bad example by wasting the time of the House, that he thought it would hardly be fair to ask the House to go into Committee at that time to vote money. He was very much surprised at the course that had been taken by the Government; it was nothing but a waste of time. Although the agreeing to the proposed Vote in Committee of Ways and Means would be quite a matter of course, yet, by way of protest against the manner in which the Government had conducted Public Business that evening, he would feel it his duty to move the adjournment of the House, if the Motion were not withdrawn.

Committee *deferred* till *To-morrow.*

EAST INDIA STOCKS (DIVIDENDS) BILL.

On Motion of Mr. Grant Duff, Bill to facilitate the payment of Dividends on East India Stocks, *ordered* to be brought in by Mr. Grant Duff and Mr. Adam.

Bill *presented,* and read the first time. [Bill 134.]

METROPOLITAN BUILDINGS AND MANAGEMENT BILL.

On Motion of Sir William Tite, Bill for consolidating with Amendments the Building Acts relating to the Metropolis; for regulating the formation of Streets and of Sewers and Drains in the Metropolis; and for other purposes relating thereto, *ordered* to be brought in by Sir William Tite, Dr. Brewer, Mr. Cavendish Bentinck, and Mr. Bowring.

Bill *presented,* and read the first time. [Bill 135.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 11*th May,* 1871.

MINUTES.]—Public Bills—*Second Reading—* Sequestration (54); Adjutants (Jury) Exemption (101), *negatived;* Metropolitan Poor Act (1867) Amendment * (97).

Committee—County Justices Qualification Amendment * (67-108).

Committee — Report — Promissory Oaths (*recomm.*) * (100); Workshop Regulation Act, 1867, Amendment * (63).

Report—University Tests (104-107); Presbyterian Church (Ireland) * (87); Primitive Wesleyan Methodist Society of Ireland Regulation * (88).

SEQUESTRATION BILL.—(No. 54.)

(*The Lord Bishop of Winchester.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Bishop of WINCHESTER, in moving that the Bill be now read the second time, said, that the present measure had the same object as that which passed this House last Session, but which reached the other House at too late a period to admit of its becoming law. Its scope, however, he regretted to say, was more limited; but it steered clear of one or two difficulties which attended its predecessor. It provided that, in the event of a sequestration under a judgment obtained against any clergyman, or under his bankruptcy, being issued and continued in force for six months, the Bishop may take order for the due performance of the services of the church of the benefice, and should have power to appoint such curates as the case might require, and that the stipend assigned shall be paid by the sequestrator in priority to all payments payable by virtue of the judgment or bankruptcy; and further, that the Bishop shall have power to inhibit the incumbent from performing any services of the Church as long as the sequestration shall remain in force. This would, in the case of small livings, have the same effect as the Bill of last Session, which proposed to void the living under such circumstances, so as to restrain creditors from rashly trusting the clergyman, and to make it their interest to make a private arrangement with him, instead of taking proceedings. They would know that the incomes of small livings would be required for the discharge of the duties, and that if they encouraged a clergyman to run into debt, there was nothing they could trust to for payment. In larger benefices the effect would be partially the same; and, as an instalment, he believed the operation of the Bill would be almost as great as the measure of last Session. He had now, happily, the support of a noble and learned Lord (Lord Cairns), who objected to a great part of the latter Bill; and, though a similar Bill was before the House of Commons, it was not likely to reach their Lordships' House. He, therefore, saw no reason for withdrawing his own Bill, being anxious that another Session should not pass without a mitigation of the evils of the present state of the law.

Moved, "That the Bill be now read 2^a."—(*The Lord Bishop of Winchester.*)

Lord CAIRNS said, the principle of the Bill must commend itself to everyone, and he believed the Bill was calculated to accomplish the object in view, and to remedy evils which were universally admitted, without inflicting injustice on any person. It was, therefore, free from the objections which he entertained to the measure of last Session.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

ADJUTANTS (JURY) EXEMPTION BILL.

(*The Lord Stratheden.*)

(NO. 101.) SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2^a."—(*The Lord Stratheden.*)

The LORD CHANCELLOR said, he could not consent to the second reading. Last year, when the Jury Bill was before Parliament, numerous claims for exemption were made and settled, and he objected to the arrangement being disturbed. It was already extremely difficult to obtain a proper attendance of jurymen, and only yesterday a case of great importance (the Tichborne case) had to be postponed on that account. There was an increasing pressure on persons liable to serve owing to the numerous exemptions, which included all officers in the Army, Navy, Militia, and Yeomanry, while on full pay.

Lord STRATHEDEN, in reply, urged that the efficiency of Volunteer corps depended to a greater extent than in the Line on the adjutants, who might now be summoned as jurymen during field-days and inspections.

An Amendment *moved,* to leave out ("now") and insert ("this day six months"): On Question, that ("now") stand part of the Motion? *Resolved* in the *Negative;* and Bill to be read 2^a *this day six months.*

UNIVERSITY TESTS BILL—(No. 104.)

(*The Earl of Kimberley*).

REPORT OF THE AMENDMENTS.

Amendments *reported* (according to Order).

Lord HOUGHTON said, that he had observed during the sitting of the Committee, and also during the debate, that the noble Marquess (the Marquess of Salisbury) had expressed no ill-will to the main proposition in the Bill, but had directed his observations solely to one part of the subject-matter of it, and had succeeded, by a small majority, in inserting a clause containing a declaration to be made by all persons appointed to tutorial offices in the colleges, and some other clauses. Now, he wished to appeal to the noble Marquess whether, on re-consideration, it would not be wiser to send the Bill back to the other House in something nearer to the form in which it came up than to provoke a collision between the two Houses on a single point. He would not urge as a reason for this the smallness of the majority, nor had he the slightest disrespect for the noble Lords who supported the proposal. The noble Marquess had shown a willingness to accept the decision of the other House, and to throw open the Universities to persons of all persuasions, except as regarded those intrusted with the duty of teaching, and the declaration which he had proposed as a safeguard on this point was dictated, as the whole tone of the debate showed, by fear of a very small and unimportant portion of the community. The immense majority of the people of this country adhered to the authority and teaching of the Bible, and their reverence for it was so absolute that any person who avowed hostility to its doctrines was disabled not only from holding any office connected with moral or religious teaching, but almost from any political action. No one could appear at the hustings with any chance of success, and announce that he did not accept the Bible. The same feeling would prevail in any college or institution; and was it wise, therefore, for the sake of asserting an absolute truism, to come into collision with the other House, and to impose a test which would have no practical bearing on the present or future education of the people?

THE MARQUESS OF SALISBURY said, he appreciated the moderate and conciliatory spirit in which the noble Lord's appeal had been made; but he deprecated his somewhat frequent use of the word "collision"—a favourite term applied to cases of disagreement between the two Houses. If it could be said that the two Houses could never differ without involving morally the physical results of two ships coming into collision, he could only say that the British Constitution was not likely to work very long. If there was any sense or meaning for the existence of two Houses of Parliament, it must have been contemplated that differences of opinion would arise, and therefore he did not see why a difference of opinion should be styled a collision any more than the difference of two persons sitting here or in the other House. In advocating propositions contrary to the views they had expressed, he had intended no disrespect to the other House, and he could conceive nothing improper or unconstitutional in the adoption of such propositions by a majority of their Lordships. Passing from this to more important considerations, it was precisely because he agreed with the noble Lord that the Bible was now the rule of this country, and that no one could safely appear at the hustings and announce his difference from it—precisely because he thought this the most valuable feature of the public opinion of this country, distinguished from the public opinion of every other country in Europe—because he thought this feature should be cherished and preserved as one of the brightest jewels of our national honour—it was for this reason that he dreaded any agency by which this state of things could be disturbed. Now, his conviction was that there was only one agency by which this could be done. If those opposed to the Bible could get at the fountain-head of education, and poison the stream which issued from that well, they might succeed, as they could not otherwise do, in shaking the allegiance which the people of this country of all classes and opinions acknowledged in common to the Bible. Acting upon the Resolutions of the Select Committee, he had proposed for the approval of the House a declaration which they believed would paralyze those—if such there were—who desired to carry so unholy a project into effect; and he could not admit that because it was only sanctioned by a small majority it was therefore his duty to withdraw it. The division was taken in a small House and at an unpropitious time of the night. The noble Lord recollected, no doubt, the reason assigned by Clarendon for the vote which turned the Bishops out of this House 200 years ago—that there were people who liked dinner better than Bishops. It was possible that a reason of a similar character operated the other night. He admitted, of course, that the other hypothesis was possible, and that the opinion of the House might be closely divided. It was possible, too, that the majority of the House, if another division were taken, would be with the noble Lord:—but on neither hypothesis could he think it his duty to withdraw the clause from the consideration of both Houses. Their Lordships would be acting in the most constitutional manner by proceeding in the way usual in other cases.

THE MARQUESS OF SALISBURY moved to insert the following clause:—

"The Morning and Evening Prayer according to the Order of the Book of Common Prayer shall continue to be used daily as heretofore in the chapel of every college and hall in the Universities; but notwithstanding anything contained in the statute thirteenth and fourteenth Charles the Second, clause four, section seventeen, or in this Act, it shall be lawful for the visitor of any college or hall, on the request of the governing body thereof, to continue from time to time, in writing, any abridgement of the Order of Morning and Evening Prayer as set forth in the Book of Common Prayer in the chapel of the said college or hall instead of the said Order of Morning and Evening Prayer, and such abridgement may lawfully so be used on week days only."

The Earl of KIMBERLEY said, he saw no objection to the clause, but recommended that it should be printed and brought up on the third reading.

The Marquess of SALISBURY said, he was willing to accept the suggestion.

The Bishop of WINCHESTER remarked that as the Visitors did not originate changes the clause should contemplate application being made to them in the first instance.

Clause (by Leave of the House) *withdrawn.*

The Marquess of SALISBURY inquired whether the noble Earl would consent to the insertion of a few words giving the colleges a general power of requiring attendance at chapel — although of course not in the case of those who had conscientious objections to the form of worship.

The Earl of KIMBERLEY said, he thought the noble Marquess would find that the clause in question carried out his views.

Earl GRANVILLE said, he wished, before the question was disposed of, to say a word with regard to his noble Friend's appeal. He was not surprised at that appeal having been made; but he wished it to be understood that Her Majesty's Government would not have thought of asking the House at the present stage, and without notice, to reverse its deliberate decision of Monday night. Without, therefore, complaining of the decision at which their Lordships had arrived, he protested against the noble Marquess's assumption that when the Bill went back to the other House they were not to judge of the considerations which had influenced both sides of the House as evidenced by the speeches which had been made, and also against the assumption that the question had been decided on an issue between those who reverenced the Bible and those who did not. Nothing could be more erroneous than the idea that the minority in the recent division had voted on such an issue; and even if such a supposition could be allowed, he must protest against the noble Marquess's insinuation that a large number of their Lordships preferred their dinner to their Bible.

The Duke of RICHMOND said, the noble Earl had entirely misunderstood the noble Marquess. His noble Friend had not stated or implied that those who voted on the one side reverenced the Bible, and that those on the other did not. Following the noble Earl's example of protesting, he must protest in turn against the noble Lord's (Lord Houghton's) assumption that the House of Commons was not satisfied with the Amendments. They had not been under the consideration of that House this Session, and until they had gone down to and been discussed by them it was premature to say that the Commons would not accept the Bill as it now stood. If, when the Bill went down to them, the House of Commons disagreed with the Amendments, then would be the time for their Lordships to consider what course they should take.

Bill to be read 3ª *To-morrow*, and to be *printed*, as amended (No. 107).

INDIA—INDIAN ADMINISTRATION AND FINANCE.

PETITIONS FOR A ROYAL COMMISSION OF INQUIRY.

The Marquess of SALISBURY, in presenting Petitions (nine) of Inhabitants of British India praying for the appointment of a Royal Commission to inquire into various grievances mentioned therein, said, that the grievances as to which the petitioners asked for inquiry pressed both on the English and the Native population. He could have wished that these Petitions had been entrusted to some other noble Lord, because he had the misfortune not to be able to agree with all the wishes which were expressed in them. This Petition —for the Petitions were identical—had three objects, and contained at least 20 paragraphs, and he proposed to conclude with a Motion that it be printed in the Votes. [Lord Redesdale said, that would not be regular.] The Petitioners complained first, of the condition of the finances; secondly, of the annual migration of the Government from Calcutta to the Hills; and thirdly, of the Legislative Council not being a really representative body. Now, as to the third point of the Petition he (the Marquess of Salisbury) was unable to agree with it. It was possible that the Council might be selected with more careful attention to the interests of the population. He believed some Native Princes, not under the jurisdiction of the Crown, were members of it, and it might be that those affected by the decisions of the Council might be more adequately represented—this, however, was a question of detail—but he felt confident that any attempt to introduce a representative system into the Legislative Council would be attended only in the first instance with confusion, and in the second instance would have the fatal effect of subjecting the Government of India to the influence of a narrow though influential class, consisting partly of Englishmen and partly of Natives, but wholly distinct from the vast mass of the people of the country, the responsibility now borne by England in the face of the world as regarded Indian administration being thus seriously diminished without any other responsibility being substituted for it. There had of late years been a considerable pressure with a view of maintaining the existing Native Governments and limiting the extension of direct British rule. He sympathized with this to a certain extent—not that he believed the Native Governments, judged by any abstract or ideal rule, were superior or equal to the English, but simply because they had the one cardinal virtue of all Governments, that they were in sympathy with the feelings, habits, and traditions of the populations over which they rule. Therefore he believed we had done wisely in maintaining such of the Native Governments as now exist. The same considerations, however, should inspire mistrust of propositions for introducing into India a mode of Government so thoroughly alien to the Asiatic nature as representative Government. It was of vital importance to attend to the nature and traditions of the governed, and representative Government in India would sin against this primary canon. As to the comparatively small matter of the removal of the Government to the Hills, from all the evidence he had been able to collect—but the noble Duke (the Duke of Argyll) would be able to speak with more weight—he gathered that much more real business was performed at Simla than at Calcutta, where there being no influence of public opinion, as we understood the phrase, to control the Government, its migration to the Hills was not a matter of substantial objection. It was a great mistake to substitute the opinion of an official or narrow mercantile class, or of a few educated Indians, for the public opinion of the whole nation which we in England were so proud of. As to the first part of the Petition—that relating to finance—he did to some extent agree with it. He thought the condition of the finance of India did require serious consideration from the Home Government; and this not merely in the sense of requiring the Governor General to give his best attention to it. Nothing could be further from his wish than to suggest anything which would diminish the authority or prestige of that distinguished officer, for the Viceroy's independence, and the position he occupied in the face of the Princes and people, were of vital importance. Least of all would he do so with Lord Mayo, who, as was now generally acknowledged, had fulfilled the hopes entertained of him on acceding to that high office, and had shown himself not unworthy of the brilliant series of his predecessors in the government of that great dependency. But the position of Governor General is temporary. There was a change every six years, and there might be questions of permanent interest which it was necessary to settle on a definitive basis. The general principle of Indian finance required consideration, and he doubted whether this could be effected by the agency of the Governor General. Our progress in the management of Indian finance had hitherto been in the European direction, and he doubted whether in that course we had not taken a radically false view. The English idea of finance was that every year the Chancellor of the Exchequer put something in the crucible and moulded it anew, raising or diminishing taxes according to the wants of the moment, and the Budget was not merely a necessary incident but a social excitement. What, however, might be a pleasant excitement for us was in India a very dangerous interference with the peace of the Natives. He believed the ideal of finance of Asiatics was that of repose. The first thing was to settle the amount which could be raised without interfering with the traditions or departing from the habits of the nation; let this be permanent, and let the expenditure be adjusted to it. Here it was a constitutional principle for the Estimates to precede the Ways and Means; but all experience of India indicated an opposite course, Ways and Means being a comparatively-speaking permanent arrangement, and the expenditure being forced to fit itself thereto. To the Native everything new was *primâ facie* unjust; and scarcely any expenditure, however wise, would justify the great evil of exciting him to compare his present state with his past, and to make a grievance of financial alterations. It was for the Home Government to consider whether the excitement of annual Budgets and new taxes should not be withdrawn from the mass of political dangers with which we had to contend —the more so because, unfortunately, the opium revenue, one-sixth of the whole receipts, was so variable that the Finance Minister could not tell within 25 per cent whether it would rise or fall. So shifting an item made it necessary that in its other features it should have an aspect of stability and repose. Again, it had long been felt by the local authorities that their expenditure was supervised by the central Government in a manner which trenched on their independence and increased the difficulty of administration. The local Governments had strongly protested for greater financial decentralization, and the hesitating steps already taken in this direction, by which some accidental sources of revenue had been handed over to them to deal with as they pleased, would not settle the question. It was difficult to resist the impression that the mechanism of the Government of India was so new, and the territory over which it extended so vast, that its personal character was almost entirely lost, the enormous machine being too powerful for the Viceroy, however able, to move with his single will, and the ideal of paternal Government degenerating into a bureaucracy. There was a great tendency in the lower offices where expenditure was incurred to exceed the Estimates, and, without reflecting on the able persons who managed it, there was consequently a general belief that the expenditure did not produce anything like the results which one had a right to expect. He believed that in the Department of Public Works that impression especially prevailed. He had been asked by these gentlemen to move for the appointment of a Royal Commission. But he could not comply with that request. Indeed, he should regard it as a very great misfortune if any Member of the Opposition should adopt that course. In matters connected with India it was of the utmost importance that not a shred of party politics should be allowed to interfere, and therefore it certainly was not his intention to make any such Motion. But he most earnestly recommended the subject to the attention of the noble Duke (the Duke of Argyll). He might not wish to act upon it at once; but he believed it would be found that, independent of this memorial, the subject did require careful investigation with a view to remove the scandal of perpetual falsification of estimates and expectations, and also to diminish the undoubted discontent among the class, at least, of English residents in India in consequence of the frequent changes of taxation, and the very serious doubts which he believed were entertained whether the revenue equalled the expenditure incurred. He trusted the noble Duke would not think that in bringing this matter forward he was actuated in the slightest degree by any hostile feeling, for he had the greatest confidence in the noble Duke since he took charge of the government of India. He only desired earnestly to impress on him the importance of giving to it a careful consideration.

THE DUKE OF ARGYLL said, that the noble Marquess had treated the matter very fairly, and he was glad—although he had made some rather strong observations on some of the financial questions referred to—that he had not lent the sanction of his high authority to the prayer of the Petition, to which he wished to call the attention of the House. He believed that already the Petition had been sent to a great number of the Members both of their Lordships' and of the other House of Parliament, and it would, no doubt, be still further circulated by the very active gentlemen whose complaints were brought forward in it. The prayer of the Petition was, that Her Most Gracious Majesty should appoint a Royal Commission to inquire into and report "on the matters aforesaid" —contained in 19 paragraphs—which went pretty nearly into every question connected with the government of India

—its finance, its military administration, the possibility of introducing the representative system of government, the system of promotion in the Army, and every possible subject connected with the government of India. Now, he begged to say the appointment of a Royal Commission to inquire into such a subject as that would be nothing else but a Vote of Censure on the existing Government of India both in India and at home. It had been a cardinal point of our policy at all times to uphold the policy of the Viceroy of India. The noble Marquess was well aware that the present Viceroy did not belong to the party to which he (the Duke of Argyll) was attached, and until he was appointed to that office he really had no personal acquaintance with him. But he had felt it to be his bounden duty to give him that support to which he was entitled, considering the great duties he was called on to perform; and he must give his cordial assent to the eulogy passed by the noble Marquess on the manner in which Lord Mayo had discharged the duties of Governor General. As Secretary of State he (the Duke of Argyll) had been highly gratified with the great ability Lord Mayo had devoted to those duties, and the energy he had displayed in the administration of the Empire, and, he must also add, the great success which had accompanied his exertions to rectify to a great extent the finances of that country. Now, this Petition was full of complaints respecting the manner in which the Government of India was conducted in almost all respects; but he thought it must be quite obvious to those who read the Petition that the real secret of the discontent it expressed would be found in certain financial measures which had been adopted since Lord Mayo assumed the Government of India, and especially the re-imposition of an income tax. It was not till they came to the 19th paragraph of the memorial that they found the income tax distinctly named; but indirectly it was continually referred to. He had not the slightest doubt that the feeling of discontent which prompted this memorial had reference almost exclusively to the re-imposition of the income tax. With reference to the observations of the noble Marquess (the Marquess of Salisbury), he must say he was not aware that they had introduced into India any new tax except the income tax at variance either with the habits or customs of that country. Successive Governments, no doubt, had thought it their duty to try to amend the financial system of the Empire, and in many cases to abolish taxes with which the Natives were perfectly familiar, but which in an economical point of view must be considered in the highest degree objectionable. He did not think it could truly be said that they had introduced to the grievance of the Natives any new tax whatever with the exception of the income tax. That tax was first imposed in 1860, when Mr. Wilson was Financial Minister of India. It was imposed on the ground that under the Native system of taxation a very large and wealthy class of people almost entirely escaped taxation. He believed that was perfectly true; and Mr. Wilson thought that under the financial exigencies of the Empire it was perfectly legitimate that the income tax should be levied on the English system. It was imposed at first at the rate of 4 per cent—3 per cent for Imperial purposes and 1 per cent for local purposes. It was passed for a period of five years. It was subsequently reduced to 2 per cent. In 1867 there was another pressure of financial exigency, and what was called a licence tax was imposed. In this country a licence tax would be understood to be a tax imposed on persons who sold beer, spirits, and other exciseable articles; but the licence tax passed in India in 1867 had nothing to do with exciseable commodities; it was simply an income tax under another name, including persons exercising trades and professions, and our own officers among the number. They were compelled to take out a licence and at a fixed rate, a certain percentage on their assumed income; therefore it was simply an income tax under another name. But what made this objectionable was that in Bengal many of the great landed proprietors not exercising any profession paid no licence tax. He could not say that tax was defensible in itself; but he believed it was imposed rather for the purpose of avoiding the necessity of calling it an income tax and getting a fair contribution from the landed proprietors of Bengal. Shortly before the administration of his noble Friend near him (Lord Lawrence) had closed in India the question was discussed whether the licence tax should be converted into an income tax. It was strongly debated in his noble Friend's Council, and the result of that deliberation was that some amendments should be made in the licence tax, and that it should be converted into a certificate tax. But the same objection was made as applied to the licence tax—it still was a tax which affected our own officers, all the small dealers, traders, and merchants in the country as an income tax, but did not affect the great landed proprietors in Bengal. That was the state of things when he (the Duke of Argyll) came into office; and one of the first questions which came before him at the instance of Lord Mayo's Government was whether or not this certificate tax should or should not be converted nominally, as well as really, into an income tax. That being the question before him, he thought there could be no doubt whatever as to the answer that should be given by the Government. If the tax was taken off the total loss could not be estimated at less than £2,000,000, and this could not be afforded. The decision of the Government was that the certificate tax should be converted into an income tax upon all sources of income, with certain exemptions, of course, to the poorer classes, in the same manner as in this country, and an Act was passed by the Government of India, without creating any great dissatisfaction, for establishing a low rate of income tax between 1 and 2 per cent. In the middle of the year 1869 Lord Mayo's Government discovered that there would be at the end of the year a large deficit, and Lord Mayo endeavoured to improve the state of the finances by rigid economy and by increasing existing taxes. The amount of the deficit which Lord Mayo contemplated at that time was £2,700,000—certainly a very alarming deficit. The memorialists, he observed, stated that there had been a long series of deficits from the year 1859-60 to the year 1869-70:—but that was hardly so, for during that period there had been six years of deficiency and four years of surplus. Lord Mayo, however, very properly determined to use every effort to meet the circumstances, and he therefore proposed to restrict as far as possible the amount expended on public works, to increase the salt tax in certain Provinces, and to double the income tax for the current year. That proposition came to him (the Duke of Argyll) at a time when Sir Richard Temple was visiting this country, and was enabled to give him the benefit of his opinions. It was rather a startling proposal that in the middle of the financial year the income tax should be at once doubled; but looking to the state of the Government, to the existing state of affairs, and to the threatened deficit of £2,700,000, he thought it his duty to advise Her Majesty's Government to sanction those proposals. Now, he believed the whole of the dissatisfaction which had occurred in India had arisen from that matter. With reference to the income tax, he (the Duke of Argyll) did not say that the step was one which ought not to have been taken—on the contrary, he thought the income tax was a very fair resource for redressing a matter of this kind and restoring the balance of finances; but there could not be the least doubt that this had had to a very great extent the unfortunate effect of exciting opposition to the measures of the Government. At the same time there was, however, this to be said, that Lord Mayo's measures completely succeeded in producing the result he desired to obtain. Instead of having a deficit of £2,700,000 at the close of the financial year, the result of the economies Lord Mayo effected and the taxes he imposed was a small surplus of about £200,000; and that was a most satisfactory result which reflected great credit on Lord Mayo's Government. But seeing this result, many people in India turned round and said—"This talk of a deficit was a mere panic—it was all nonsense. There was no necessity for these severe measures, and you might have weathered the storm without doubling the income tax." But both Lord Mayo and Sir Richard Temple had given a triumphant answer to this, and had shown conclusively that the financial result of the year was due entirely to the measures taken by Lord Mayo just described. He was also happy to say that Lord Mayo's exertions were not only successful in 1869-70, but they were eminently so in 1870-71, for instead of a small surplus there was a surplus of very nearly £1,000,000—a most satisfactory surplus, which he should be glad to see repeated. At the same time, while the income tax was doubled, the minimum income to which it would apply was also raised from 500 rupees to 750 rupees, and he believed that that tax, about which so much had been said, would not be felt by more than 480,000 people. It was said—"You levy a large sum from a comparatively small population." But at the same time it should be remembered that we levied it from a small community which was immensely rich, and which would otherwise contribute almost nothing to the financial resources of the Empire. According to the traditional system of finance in India the rich merchant of Calcutta or Bombay might spend his whole income without contributing anything to the financial resources of the country. A large part of the revenue of India was derived from opium sold to the Chinese, which yielded an income of £8,000,000 per year. Another large portion came from the rent of land, and, of course, fell upon the occupiers of land—and that was the ancient traditional source of the revenues of the country. A very small proportion indeed was derived from Customs, and the Customs duties might be evaded altogether by anyone who chose to consume only Native articles. A certain portion of the revenue was derived from the tax on salt, which fell with great severity upon the poorer classes of certain parts of India; but the amount contributed to the salt tax was only an infinitesimal fraction of expenditure of the more wealthy. In spite, therefore, of the small number of people who contributed to the income tax in India, he could not think that it was an unjust tax. The noble Marquess (the Marquess of Salisbury) said that he objected to annual Budgets and the imposition of new taxes. He concurred in the expediency of avoiding the imposition of new taxes; but he did not think that the people who paid the taxes should not have the annual accounts placed before them. He (the Duke of Argyll) now desired to touch upon another point on which the course taken by Lord Mayo had been very successful—the course taken with regard to the expenditure on public works. The system adopted either by the noble Marquess opposite (the Marquess of Salisbury) himself, or by Sir Stafford Northcote, was, that the expenditure in India on public works should be divided into two heads, and that those which were considered to be remunerative should be met by loan, while those which were considered unremunerative should be met out of income; the amount expended on the latter class in some years reaching to between £5,000,000 and £6,000,000. No one could doubt that in connection with works of such magnitude, conducted over every part of India, there must be a very great amount of waste. Every Governor General of India had felt that, and had also felt the difficulty of controlling it; but Lord Mayo has succeeded in conducting the ordinary public works at a very large reduction of expense—the reduction he effected two years ago amounting, under that head, to no less a sum than £2,669,000. He had also made retrenchments in the Army, and those retrenchments, though not so great as he (the Duke of Argyll) hoped they might be made, gave us at all events a very large item of reduction. The reduction on the Army Estimates this year, when compared with the Estimates of two years ago, was about £346,000, and that saving had been effected without reduction in the number of European troops, and with only a small reduction in the number of guns; the number of European troops, including officers, remaining at 67,000, the Native troops amounting to 122,000, and there being 1,494 guns. He (the Duke of Argyll) had stated these facts only to show that this was clearly an inopportune moment for bringing forward a Motion which was really a general censure upon the Government of Lord Mayo, who during the last three years had exerted themselves successfully in endeavouring to reverse the balances of our finances; the results being that, in the first year Lord Mayo succeeded in converting an alarming deficit into a small surplus; in the second year he raised the small surplus into a surplus of very nearly £1,000,000; while in the present year, with a very large reduction in the income tax, and in the number of persons upon whom it fell, there was every hope of realizing another surplus. One point which had been referred to as a matter of complaint against the Government of India he ought, perhaps, to notice—he meant with reference to carrying on the Government service at Simla, instead of Calcutta, during the hot season. That was a complaint which had been echoed to a considerable extent by Members of the Council at home. Many of them were fine specimens of humanity, having served during the whole of their time in India in the very hottest climates, with very little relaxation, and they were of opinion that other men might do as they did; but, as he (the Duke of Argyll) had reminded them, their weaker brethren might have been killed off during the process, and that they were the happy survivors of a large number of European officers, who had succumbed to the severity of the climate and of the service. He could not think it would be well for the Government of India to sacrifice the whole advantages which modern science had given us for the economy of life. It was against reason and against nature that when you had a healthy climate within a few hours' travel by rail you should compel men to serve all the year round in the hot climate of Calcutta, and he could not believe that the public service of the Empire would be at all promoted by such a sacrifice. He agreed with the noble Marquess that although public opinion in Calcutta was an element which every Indian Government ought to consider, it ought to exercise no predominating influence over the action of the Government, and he could not but think that the general interests of the Indian people might be as well consulted when the members of the Government were at Simla as when they were at Calcutta. Measures intimately affecting Indian habits and customs ought not, indeed, to be treated when the Native Members of the Council could not be present; but, making that exception, it was for the advantage of the people of India, as well as for the Members of the Government themselves, that they should spend the hot season in the salubrious climate which they could reach so easily. The petitioners had made an extravagant mistake with regard to the relations existing between the Indian and the Home Government. It was true the Government at home was the supreme Government, and must always continue to be so; but the Indian Government was in the main the government of first instance, as it were, and the Home Government was the government of appeal. Almost all measures affecting the welfare of the people were initiated in India, the appeal only lying to the Secretary of State at home, whose general desire it was to support the Indian Government. Some great questions of policy were, unquestionably, now and then referred to the Government at home, when the Government of India were, perhaps, divided respecting them; and one of the most important of these was the question of local taxation and expenditure. The Government were divided upon that point, and the Home Government and a majority of the Council decided in favour of the perfect legitimacy of the plan of raising local taxes for local expenditure in India. The noble Marquess (the Marquess of Salisbury) described this as a step towards what was popularly called the decentralization of Indian finance, and thought it would lead to more extensive measures in the same direction. He spoke of the Government of India having relinquished some powers over revenue and local Governments. Now, the noble Marquess could not have been quite aware of all that had actually occurred. The importance of the step taken by Lord Mayo related chiefly to the branches of expenditure which he had relegated to the local Governments. They were comprised under eight heads—such as gaols, roads, education, administration of local justice, and other matters, in respect of which there was a great pressure for local expenditure, and over which it was almost impossible for the supreme Government to exercise any control. The central Government would now be relieved from the pressure of the local Governments for the increase of, perhaps, extravagant expenditure under those heads—the object of the supreme Government being that the local Governments should be thrown upon their own resources. In a speech delivered in the Supreme Council Sir Seymour Fitzgerald complained of the taxation of the provinces, and said he thought that a fair share of the total Revenue was hardly assigned to them considering their burdens; but he went on to say that in Bombay there was a large local expenditure already, and there was no effectual system of accounts. If it were true that no Budget system existed, and that very considerable economy might be effected in Bombay, no doubt the same result might be attained all over India; and he had great confidence that when the expenditure of these taxes was brought home to their own doors, and when the Natives found that by roads, tanks, and small works of irrigation of a local character their wants were attended to they would afford the amount of taxes necessary for those purposes. He entertained the less doubt on this point from the important change carried out with regard to the land revenue. Lord Derby, when in office, suggested that the Indian Government should alienate a large part of the land revenue, and settle all the land for a series of years. After long consideration, the Government of India came to the conclusion that it would be unwise to alienate permanently the land revenue, and that over a large area of country it would be unwise to make a permanent settlement. But in a despatch of 1862 his noble Friend (Viscount Halifax) decided that in certain cases, and under certain conditions, the land revenue should be permanent; and he was informed that in the North-West Provinces a considerable area of country was likely to come under a permanent settlement. Large questions of public policy were connected with this question. He knew it was the opinion of many that the State ought to retain in its own hands the power of raising the land assessment from time to time. His own opinion was that a permanent settlement was the wisest settlement, and that it was better for wealth to accumulate in the hands of the people than to flow into the Treasury. He thought that the wealth of every good and wise Government lay in the wealth of its people, and he should rejoice to see the great landholding class of India enjoy a higher share of this wealth than it now did. One point, however, must be looked to. If the Government gave over the land in permanent settlement, thereby adding largely to the wealth of the agricultural classes, there must be some means of getting at that wealth by other taxes for the purposes of defraying expenditure. Remembering this, it became the more important that the principle sanctioned last year — that the permanent settlement of the land revenue did not preclude us from raising local taxes for local expenditure — should be maintained. The local Governments of India were now preparing measures for raising local cesses; but he had impressed upon Lord Mayo the necessity of great caution in developing this system, and the importance of carrying along with us, if possible, the feelings of the people. He understood, he might add, that notice had been given in "another place" of a Motion—which was seriously meant—for the appointment of a Royal Commission; but he hoped Parliament would not accede to a proposal which would be most unjust to the Government of Lord Mayo, and which would almost amount to a Vote of Censure upon the Administration of India. Besides, it should be borne in mind that the Government of India was nothing more nor less than a standing Royal Commission for the administration of the affairs of that country. And how was that Royal Commission composed? Of some of the ablest men, who had worked their way up to important positions in India, and who had distinguished themselves in the administration of various departments of Government; of English statesmen, and of men who were acquainted with legislative work in this country. A more powerful standing Royal Commission he could not conceive; and the appointment of a Royal Commission by Parliament would, in his opinion, derogate most seriously from the authority of Lord Mayo, and would be accepted as a vote of want of confidence in his Government.

Petitions *ordered* to lie on the Table.

UNITED STATES—THE JOINT HIGH COMMISSION.—QUESTION.

THE MARQUESS OF CLANRICARDE asked the Secretary for Foreign Affairs, Whether, as it has been decided that the claims of Americans upon the British Government shall be heard and adjudged in the United States, it has been reciprocally determined that the claims of English upon the United States Government shall be investigated in Great Britain? The matter was one, in his opinion, which was of considerable importance, not only to the parties immediately concerned, but to the credit of this country. It would, of course, be of great advantage to American claimants that their claims should be decided by a Commission sitting in the United States, and it was, in his opinion, a very proper arrangement, as they would, in consequence, be saved a great deal of expense. A similar advantage ought, however, to be extended to English claimants, who ought to be enabled to prefer their claims before a Commission sitting in this country.

Earl GRANVILLE replied that he could only give the same answer to the present Question which he had already given to questions relating to particular parts of the Treaty. He thought it was very desirable that the Treaty should be known in its entirety, and when the proper time came for it, it would be made known. But it was quite obvious that if he told one part of it he must answer all the questions which were put to him, and it was with regret he did not feel himself at liberty to reply to the Question of the noble Marquess.

House adjourned at Seven o'clock,
till To-morrow, half past
Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, 11th May, 1871.

MINUTES.] — Select Committee — *Twentieth Report*—Public Petitions; *Fourth Report*—Public Accounts [No. 223].

Ways and Means — *considered in Committee* — Consolidated Fund (£7,000,000).

Resolutions [May 4 and 9] *reported*—Customs and Income Tax.

Public Bills — *Ordered—First Reading*— Customs and Income Tax * [136]; Railway Legislation * [138]; Dogs (No. 2) * [137].

Second Reading—Burial Law Amendment* [125]; Police Courts (Metropolis) * [131]; East India Stocks (Dividends) * [134].

Committee—Army Regulation [39]—r.p.

Committee — Report — Pensions Commutation * [122]; Postage * [124].

Considered as amended — Lunatics (Scotland) * [117].

Third Reading — Trust Funds (Investments) * [123], and *passed.*

Withdrawn—Income Tax and Inhabited House Duties (*re-comm.*) * [126].

ENDOWED SCHOOLS COMMISSIONERS—EDUCATIONAL ENDOWMENTS.

QUESTION.

Mr. WELBY asked the Vice President of the Committee of Council on Education, Whether any schemes for diverting Endowments given for the education of the poor to "the promotion of education of a kind higher than that now provided by Law," have been submitted by the Endowed Schools Commissioners to the Committee of Council; whether the Committee of Council have approved of any such schemes; and, whether there is anything in the Endowed Schools Act, under which the Commissioners are appointed, which compels them so to divert Endowments?

Mr. W. E. FORSTER said, in reply, that so far as he could understand the scheme described in the first paragraph of the hon. Member's Question, no such scheme had been sanctioned by the Endowed Schools Commissioners. It was quite possible that the hon. Member might have meant something different from what he (Mr. W. E. Forster) understood; but the possibility of that showed how difficult it was to give any information before the scheme came before the House for sanction or disapproval. If the hon. Member were personally interested in any endowment the Commissioners would be glad to see him, and gather any information he could impart regarding a special case. With reference to the general principle, he could only repeat that no scheme could be carried out till it had been submitted to the House and laid on the Table 40 days. It did not at all follow that, because the secondary education was diverted, as provided for the poor, that therefore educational endowments were also diverted from that class of the community.

INSULATION OF TELEGRAPHIC WIRES.

QUESTION.

Sir JOHN HAY asked the Postmaster General, If he has received any information with reference to a material for insulating telegraphic wires named "Braie;" whether that material has been adopted by the Dutch Government; and, if he proposes to order any professional inquiry with a view to report on its comparative cost and utility?

Mr. MONSELL, in reply, said, his attention had been called to the material, which was a preparation of coal tar. Five years ago the Dutch Government tried experiments with it which were not very successful; but he had received from them a letter to the effect that they were about to try new experiments, their opinion being that a perfect judgment could not be formed upon the last trial. They stated, further, that upon the whole the material was not unfavourably thought of. The scientific officers of the Post Office Department had taken the matter into their consideration, and their opinion as yet was not favourable to the adoption of "Braie" as an insulator.

CUSTOMS AND INLAND REVENUE ACT —ARMORIAL BEARINGS.—QUESTION.

Dr. LUSH asked Mr. Chancellor of the Exchequer, If he will be so good as to state under what Clause of the "Customs and Inland Revenue Act 1869," the Corporation of Salisbury have been required to take out a Licence for Armorial Bearings?

The CHANCELLOR of the EXCHEQUER, in reply, said, that the 32 & 33 *Vict.*, c. 14, s. 19 required of persons using armorial bearings to take out licences, and that 4 & 5 *Vict.*, s. 30, declared that a noun singular of the masculine gender should be held to include females as well as males, and also corporations.

ARMY—GENERAL ORDER ON RECRUITING.—QUESTION.

Captain CARINGTON asked the Secretary of State for War, Whether it is to be understood from the recent general order on recruiting, that no pensions are to be awarded to soldiers enlisted after the date of that order who may be disabled by the effects of climates in which they may be called upon to serve, or disabled by wounds; whether soldiers enlisted for twelve years will be forced after the expiration of six years' service with their regiment to pass into the reserve; and, whether twelve years is the maximum number of years' service to be allowed in future in the Army?

Mr. CARDWELL, in reply, said, that soldiers disabled from service by wounds, or the effects of climate, would certainly continue to receive pensions; but they would be required, of course, to perform their engagements. At the present moment the only engagement a soldier entered into was six years with the colours and six with the Reserve. Twelve years was the maximum period of service under the Enlistment Act, and soldiers would not be entitled, as a matter of right, to serve for a longer period. Soldiers enlisted for short service might at their own desire, and with the permission of the military authorities, be allowed to serve for a longer period, and there would always be a number remaining in the Army after 12 years' service as non-commissioned officers.

PENSIONS IN INDIA.—QUESTION.

Mr. HAVILAND-BURKE asked the First Lord of the Treasury, Whether, about the 30th of March last, there was pending before the Legislative Council of Calcutta a Bill, introduced by the Government of India, which proposed to enact that—

> "No Civil Court shall take cognisance of suits to enforce claims to any Pensions or Grants of Money or assignments of Land Revenue conferred by the British or any former Government;"

and, if so, whether Her Majesty's Government are prepared to sanction or permit such legislation?

Mr. GLADSTONE, in reply, said, that the rule of withdrawing all

> "Pensions, or Grants of Money or consignments of Land Revenue conferred by the British or any former Government"

was in force throughout all India with the exception of a limited portion of the Bombay Presidency. A Bill, introduced by the Government of India, proposed to assimilate the law with regard to the exceptional portion to the law which prevailed throughout the remainder of the country. The usual course pursued was that such Bills passed through the hands of the authorities in Calcutta before they came under the official notice of the Secretary of State, and the time for the consideration of this particular measure by the Secretary of State had not, therefore, yet arrived.

COMPULSORY PILOTAGE BILL—COMPENSATION.—QUESTION.

Mr. BOURKE asked the President of the Board of Trade, Whether the Government have calculated the amount of compensation which will become payable out of monies to be provided by Parliament under the Compulsory Pilotage Abolition Bill, and what the estimated amount of the compensation contemplated by the Bill will be during the ten years after which the Act comes into operation?

Mr. CHICHESTER FORTESCUE, in reply, said, it was impossible to make any calculation of the amount of compensation that would be necessary within any given year, or within ten years after the passing of the Compulsory Pilotage Abolition Bill, because the compensation would only be given in the case of ships ceasing to take pilots where they were formerly compelled to do so. The Bill would secure a fair amount of compensation; but experience had shown that where the employment of pilots was voluntary the amount of loss of employment, and, consequently, the compensation involved was very limited.

IRELAND—APPOINTMENT OF STAMP DISTRIBUTORS.—QUESTION.

VISCOUNT CRICHTON asked the Chief Secretary for Ireland, If it be true that Mr. M'Cann, a gentleman from Armagh, has been appointed stamp distributor in the borough of Enniskillen; and, whether there are not many residents in the latter town fully qualified to fulfil the duties of the office; and, if so, if he will have any objection to state why they have been passed over and a total stranger appointed?

THE MARQUESS OF HARTINGTON, in reply, said, these appointments rested with the Treasury, and not with the Irish Government. The ordinary practice, though by no means the invariable rule, was to fill up these vacancies by appointing some one belonging to the neighbourhood where the vacancy occurred. Circumstances might, however, occur which would make it desirable that this rule should be departed from. In this instance Mr. Armstrong, a gentleman resident in the town, and not Mr. M'Cann, had been appointed.

DIRECT AND INDIRECT TAXATION.
QUESTION.

MR. M. T. BASS asked Mr. Chancellor of the Exchequer, Whether he will be good enough to state to the House what are the proportions contributed respectively by direct and indirect taxation to the gross revenue of the Country?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Question appears to be a very simple one, but it is really one of considerable difficulty, because of the ambiguity of the terms employed. I must, therefore, first of all, state the sense in which we employ these terms, though I am far from saying that it is the proper sense or the one in which hon. Members interpret them. By gross Revenue, I understand the whole Revenue as estimated, including the expenses of collection. With direct and indirect taxation I have a little more difficulty, because there are seven or eight different meanings, each of which has its advocates. All taxes are in one sense direct, because they are taken from somebody by the Government; but, as I understand the terms, an indirect tax implies that the person who pays it has some means of recovering it from the community, and a direct tax implies that the person who pays it has no such power. According to this classification, the tax on tea would be an indirect tax, and the income tax would be a direct tax. Applying that principle, the Customs would be wholly indirect taxes, and the Excise, with some trifling exceptions, would be also indirect. With reference, however, to the Excise upon railways, I am in some difficulty, because the power of recovering it from the public depends upon very complicated considerations; for, while some railways are empowered by Acts of Parliament to recover the tax from their passengers by a charge over and above the Parliamentary maximum, others have not that power. As it stands at present, we have deducted it from the Excise, and treated it as a direct tax. It yields £505,000. Then, under the head of direct taxation, stamps, less Law Court fees, amount to £8,585,900. Taxes, principally the land tax and inhabited house duty, £2,725,000, and income tax, £6,350,000. According to that division, the direct taxation would amount to £18,165,900; and the indirect taxation to £42,744,000. There are, however, other sources of Revenue which are neither direct nor indirect, and which I have excluded from this comparison on that account. These are the Law Court fees, which appear to me to be payments for services rendered, £421,100; Post Office, £4,770,000; telegraphs, £500,000; Crown Lands, which are really proceeds from public property, £385,000; and miscellaneous, £3,229,200—making in all, £9,305,320. Indirect taxation, therefore, contributes about 60½ per cent; direct taxation, 25½; and sources of Revenue neither direct nor indirect, 14 per cent.

METROPOLIS—THE WELLINGTON MONUMENT.—QUESTION.

MR. GOLDSMID asked the First Commissioner of Works, Whether he can give the House any further information with regard to the arrangements for the completion of the monument to the Duke of Wellington?

Mr. AYRTON replied, that the arrangements respecting the Wellington monument had been transferred from the Board of Works to the Treasury. If his hon. Friend, therefore, would put the Question to the Chancellor of the Exchequer he (Mr. Ayrton) had no doubt that his right hon. Friend would be able to answer it.

Mr. GOLDSMID begged leave to put his Question to Mr. Chancellor of the Exchequer.

The CHANCELLOR of the EXCHEQUER, in reply, stated that arrangements had been made for the completion of the Wellington monument. The matter, however, was one of considerable difficulty, because, according to the Papers laid on the Table, it was by no means an easy matter to deal with. Mr. Stevens, who had been employed in the affair, was a gentleman, no doubt, of great ability, but certainly not a good manager of pecuniary transactions. It was therefore felt necessary to put an end to all pecuniary matters with him. After making the best inquiries they could on the subject, the Government were advised, considering how much had already been done in connection with this monument by Mr. Stevens and the peculiar aptitude of that gentleman for the work, to continue, if possible, his services as the artist of the monument, but to transfer the pecuniary transactions connected with it to a gentleman who had given great satisfaction in carrying out several important contracts. The Government proposed, therefore, to enter into a contract with that gentleman for the completion of the monument. There would be no considerable increase in the expenditure, and he had great hopes that in a very short time—say in a year or two—the monument would be completed. He could assure the House that the Government would do all in their power to expedite the completion of the work, and to secure its being worthy of the illustrious person whom it represented.

ESTABLISHED CHURCHES—THE ARCHBISHOP OF DUBLIN.

EXPLANATION.

Mr. CONOLLY: Sir, seeing the right hon. Gentleman the Member for

Buckinghamshire in his place, I wish to put to him a Question of some importance, particularly as affecting the character of an eminent dignitary in Ireland. My Question has reference to the words used by him in his speech the other night, bearing on the position of the venerated Archbishop of Dublin, by which it would seem that that most reverend Prelate had been excommunicated by the Protestants of Ireland. I want to know whether the right hon. Gentleman is willing to qualify this expression, so as not to produce a painful impression among the Protestants of Ireland, and more particularly among the Synod now sitting in Dublin, where the most reverend Prelate is deeply and universally respected?

Mr. DISRAELI: Sir, I should always be willing to qualify any expression which I may have used, I will not say in the heat, but in the flow of debate, which may be shown to be erroneous, or even exaggerated. But the appeal which has been made to me by my hon. Friend is somewhat vague, and he scarcely alleges with all the precision I could desire, the expressions to which he particularly refers. With respect to the word "excommunicated," I certainly was not under the impression that any Gentleman in this House would have supposed that by using that word I meant that the offices of the Church had been denied to the much-respected Archbishop of Dublin. I used the word in a figurative sense; but, at the same time, I may remind the House that it is a figurative sense of so ordinary and practical a character as to be admitted not only into literature but into conversation. What I did say the other night on this subject, or at least what I intended to say, was, that since the dissolution of the connection between Church and State in Ireland, I had witnessed with a feeling of some dismay that that section of the Church of Ireland advocating what I think I may describe as contracted and exclusively Protestant views had not treated the Archbishop of Dublin in that manner which his friends, I think, would have expected or desired; but, on the contrary, that they had censured his conduct, and, so far as words were concerned, had repudiated his authority. I made that statement on the strength of public documents, and on what I believe to be authentic reports of proceedings in Ireland.

I beg to state that my expression did not refer to the great body of the Irish Church, and especially not to the Synod. I sympathize with that Synod in their arduous labours. They have shown great ability and much discretion. The time of the Synod is extremely valuable, and I trust that in future they will not waste any of it in passing precipitate resolutions.

NAVY—"THUNDERER" AND "DEVASTATION."—QUESTIONS.

MR. CORRY asked the First Lord of the Admiralty, Whether, considering that in the papers respecting the "Cyclops" and "Devastation" classes, recently delivered, reference is made to the question whether the "Devastation" and the "Thunderer" should be completed in conformity with certain modifications of the original design which have been suggested by the Constructor's Department, he will lay upon the Table the Report of the Constructor explanatory of the modifications in question, and of his reasons for proposing them; and, whether he will lay upon the Table the evidence taken before the Committee to the date of their preliminary Report, and the answers to any questions sent to Naval Officers relative to the "Thunderer" and "Devastation," or other ships, received down to the same date, in order that the House may have the means of judging how far they are confirmatory of the opinions of the majority of the committee?

MR. GOSCHEN replied, that the suggestions alluded to by the right hon. Gentleman were contained in a Report embracing many other kindred subjects. That Report, however, was a confidential document, and, therefore, he was not prepared at present to lay it on the Table. As regarded questions sent to naval officers, they had been sent out subsequently to the Report on the *Devastation* and *Thunderer*, and the correspondence arising out of them was of a strictly confidential character.

MR. CORRY asked whether the right hon. Gentleman would consent to produce such portions of the Papers as would show what the modifications made really were?

MR. GOSCHEN said, that the Report had been prematurely forced from the Admiralty by what he might call an indiscretion. He appealed to the House to suspend its judgment even upon the Report now presented, until the whole of the labours of the Committee were concluded, when they would be at liberty to judge for themselves.

NAVY—H.M.S. "CAPTAIN"—WIDOWS OF OFFICERS.—QUESTION.

SIR JAMES ELPHINSTONE asked the First Lord of the Admiralty, Whether he will propose a Supplementary Estimate to provide for the losses suffered by the widows of the officers who were drowned by the foundering of Her Majesty's Ship "Captain," if they cannot be met out of public funds any other way?

MR. GOSCHEN said, in reply, that he did not consider it convenient to answer the Question of the hon. Baronet at the present time. He must express his surprise at seeing that the conversation which he had had with the hon. Baronet on this subject had been communicated to the public papers. He was unable to state absolutely what would be done by the Government in respect to these matters. He had already stated, in reply to a Question from the hon. Member for the Isle of Wight (Mr. Baillie Cochrane), that the Government thought it would be a dangerous precedent for them to make good losses of the character of those alluded to. They had therefore declined to recognize those claims, not from motives of parsimony, but in the interests of the public service; they considered that those matters should be dealt with in the same way as all other cases of a like nature.

SIR JAMES ELPHINSTONE said, he had a Notice of Motion on the Paper for last Friday, and he remained in the House till 12, when the right hon. Gentleman at the head of the Government asked him to postpone his Motion, stating that the question would be dealt with in a spirit of liberality. He had no idea in the world that this was a private communication. He was one of the last men in the House who would betray any private communication. He believed that his Motion was for the purpose of settling a question which he was quite sure the right hon. Gentleman had as much at heart as he had. That was all that passed on the occasion, and as he was inundated with letters asking what had become of his Motion he communicated to "the leading journal" the state of the case, simply stating that he had withdrawn his Motion on the Government engaging to bring the subject forward.

GAME LAWS.—OBSERVATIONS.

MR. BRUCE said, there were three Bills on the subject of Game Laws before the House. In regard to two of them—those of the hon. Member for Bury St. Edmund's and the hon. Member for Linlithgowshire—notices of opposition to the second reading of both of them appeared on the Paper; but there was no such Notice in respect to the third Bill—namely, that of the Government. He would suggest, therefore, that the Government Bill might be read the second time and referred to a Select Committee, and that the other two Bills, without being read the second time, might also be referred to the same Select Committee.

MR. P. A. TAYLOR said, he could not assent to that arrangement.

INCOME TAX AND INHABITED HOUSE DUTIES (*re-committed*) BILL.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter.*)

[BILL 126.] COMMITTEE.

Order for Committee read.

THE CHANCELLOR OF THE EXCHEQUER said, three questions had arisen on that Bill, all of them entirely independent of the merits of the measure. The first question had reference to the Bill having been read the second time before it was circulated among Members, his right hon. Friend (Mr. Gladstone) having previously stated—what he believed to be the fact at the time—that the Bill was a mere formula, and contained no new matter. That statement was correct in substance, but not quite correct in words, because the measure contained a clause regulating the manner in which the inhabited house duty was to be collected, together with the income tax duty. On the other hand, it was not a substantial deviation from the fact, because the right hon. Gentleman was not aware of those clauses. That principle was laid down and established by the Act of last year, which transferred the duty of collecting the house duty to the Commissioners of Income Tax. Still, complaint had been made that hon. Members had lost an opportunity of taking objections to the measure in consequence of his right hon. Friend's statement. In the second place, a doubt had been expressed, which he thought there might be some foundation for, whether it was right to introduce those clauses about the inhabited house duty into the Bill without a previous Resolution in Committee. There seemed to be considerable colour for doing it, because that was merely adding financial clauses to it. And, thirdly, it had been questioned whether it was proper, even with a Resolution to found it upon, to introduce the usual annual tea duty into that Bill. On that point they were certain that they were correct. Now, in regard to all these questions, it was not desirable to occupy time in arguing on the one side or the other points of order and of form which were only collateral, and had nothing to do with the merits of the Bill, when it would be easy, by a little sacrifice, to obviate the difficulty and set the matter right. The Government, therefore, upon consideration, thought the best course to adopt under the circumstances would be to withdraw the Bill altogether, and introduce a new one, and so cure any defects. He had, therefore, to move that the Order for going into Committee on the Bill be discharged.

MR. HUNT said, he thought the Government had exercised a very wise and sound discretion in taking that course. They had alluded to three different points which it would have been his (Mr. Hunt's) duty to advert to had not that course been adopted. He was not the least surprised to hear that the right hon. Gentleman at the head of the Government was not aware of the contents of the Bill when he stated that it was only an income tax *formula*, because he (Mr. Hunt) thought it would not come under the right hon. Gentleman's personal attention; but he was considerably surprised that the Chancellor of the Exchequer was not acquainted with the contents of his own Bill, and very much surprised that the Chancellor of the Exchequer had not given attention to it, and that the Secretary of the Treasury had not. But he was still more astonished to-night to know that the Chancellor of the Exchequer, even now, did not know the contents of the

Bill, and that he had stated that it was only a matter of regulation as regarded the house duty; whereas there was a most important change made with regard to the assessment of the house duty that was entirely new; for whereas the inhabited house duty was assessed by independent assessors up to this time, it was now proposed to transfer the duty to Government officers—a proposition which had excited opposition at different times in that House. He would not discuss the expediency of that change; but it was made for the first time by that Bill. It was fortunate that the Bill was to be withdrawn, because the Rules of the House ought to be observed, more especially in matters of taxation. The Bill had been introduced as an Income Tax Bill founded upon a Resolution agreed to in Committee of Ways and Means; its title was that of an Income Tax Bill, and, as such, it passed its first and second reading, and then, on going into Committee upon it, the measure appeared for the first time as an Income Tax and Inhabited House Duties Bill. To say the least of it, this was an irregularity, it not being competent for the Government to enlarge the scope of the Bill at such a stage by the means that had been adopted in the present instance. It was upon these grounds that he should have appealed to the Speaker to order the Bill to be struck out of the Orders of the Day, had not the right hon. Gentleman proposed to withdraw it. Then there was another point, to which the right hon. Gentleman opposite appeared to attach but slight importance, but to which he felt compelled to draw the attention of the House—namely, that this Bill, which purported to be an Income Tax Bill, contained clauses re-imposing the duties upon tea. It was extraordinary that the right hon. Gentleman should have overlooked the fact that the tea duties expired in August next, and it was not until the eve of the introduction of the Budget he discovered that circumstance was likely to occur. Much allowance ought, doubtless, to be made to the right hon. Gentleman in consequence of the extraordinary financial circumstances of the year; but, nevertheless, the duties upon tea ought not to have been imposed by a Bill purporting to be an Income Tax Bill. No doubt there was a precedent to be found for such a course, which occurred in the year 1813, when a tax upon French wines was introduced into a Bill for imposing a tax upon tobacco and snuff upon its second reading; but even that was not exactly upon all-fours with the present case, inasmuch as the duty then imposed was an Excise duty, and the Bill was a Bill for the imposition of duties of a similar nature. In his opinion, however, the precedent so afforded was one which ought not to have been followed, because it was contrary to the Rule laid down by that House, that no Bill imposing a tax could be introduced into that House unless it was founded upon a Resolution agreed to in Committee of Ways and Means, so that the House might have an ample opportunity of discussing the tax not only in Committee of Ways and Means, but also on the occasions of the first and second reading of the Bill before it got into Committee, as well as in its subsequent stages. If, however, a clause were to be introduced into a Bill in Committee at 1 o'clock in the morning, by which a tax was imposed of a totally different nature from those originally proposed to be imposed by the Bill as it originally stood, the House would be deprived of the opportunities for discussing the merits of the fresh tax which were secured to them by their rules. The question involved was, in his estimation, no light one; and therefore he trusted that for the future recourse would not be had to a precedent which he must characterize as being an unfortunate one, but that the House would be afforded full opportunity for discussing every Bill imposing a tax on all its stages in accordance with their Rules. He rejoiced that the right hon. Gentleman had spared the House the trouble of discussing this question at further length; but he must repeat the hope he had expressed the other night, that greater attention and care would be given in future to the financial legislation of the Government.

MR. GLADSTONE expressed the regret he felt at having been the means of conveying to the House the erroneous impression that the Bill in question was a mere formula. He wished, however, to say, with reference to the third point raised by the right hon. Gentleman opposite (Mr. Hunt), that the subject-matter in dispute between himself and the Government had disappeared by the latter having withdrawn the measure to which he objected. He hoped, however, it would be understood that the Government was not prepared to admit that under no circumstances could a tax with perfect propriety be inserted in a Bill by Instruction of the Committee of Ways and Means on its second reading. It was not necessary to discuss the question; but he was not prepared to say that a precedent of the character they had heard of ought never to be followed, or that it ought to be, as a matter of course, renounced. He believed that even as lately as the 6th of August, 1859, a similar precedent was afforded, when a clause for the increase of the duties upon probates and letters of administration was introduced into an Inland Revenue Bill in compliance with a Resolution passed in Committee upon Ways and Means on its second reading.

Mr. DISRAELI observed, that all the confusion that had arisen on this matter had resulted from the right hon. Gentleman the Chancellor of the Exchequer omitting to notice in his Budget speech the fact that the tea duties would lapse in August next — a circumstance that gave rise to a part of the deficit of the year, and which ought, therefore, to have been brought under the attention of the House, in order that they might have been made aware of the full amount of the deficiency for the year. Had this course been adopted the present confusion would not have arisen.

Mr. HENLEY took the present opportunity of asking the Chancellor of the Exchequer whether, now that the old assessed taxes had been replaced by an annual licence duty payable in advance, there was any necessity for compelling the public to fill up the old forms under which the assessments used to be made. The right hon. Gentleman shook his head; but he had been compelled to fill up one of the forms last year, and he objected to the bother of doing so when there was no necessity for his being put to so much trouble in the matter.

The CHANCELLOR of the EXCHEQUER said, the right hon. Gentleman would not be called upon to fill up any more of the forms.

Mr. BOUVERIE expressed his approval of the conduct of the Government in withdrawing this Bill, because on two substantial points its irregularity had been admitted, and because the House ought to be excessively jealous of any course being pursued which might tend to deprive hon. Members of those opportunities for discussing a measure involving taxation which the Rules of the House afforded them. If the withdrawal of the measure under the circumstances could have been entered on the Journals of the House, there to stand as a precedent to be referred to in future times when any irregularity of the character admitted to have occurred with reference to the present Bill was committed, a good result would have been attained. The precedent referred to by the right hon. Gentleman at the head of Her Majesty's Government was rather an unfortunate one, it having occurred on the 6th of August, just before the close of the Session—a time when it was well known irregularities were often committed. In the present case the Committee of Ways and Means had passed a Resolution involving the renewal of a tax producing something like £3,000,000 or £4,000,000 per annum; it had been sought to carry that Resolution into effect, not by bringing in a Bill embodying the substance of that Resolution, but by inserting a clause in a Bill which had been introduced with a totally different object at one of its intermediate stages, and thus the House would have been deprived of some of the opportunities it should have had for discussing the merits of the tax. He trusted that for the future no attempt would be made to follow the precedent to which reference had been made.

Order *discharged:* Bill *withdrawn.*

ARMY REGULATION BILL—[Bill 39.]

(Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.)

COMMITTEE. ADJOURNED DEBATE.

[SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Question [8th May], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate *resumed.*

Lord ELCHO said, it was not his intention to re-open the question of the abolition of purchase in the Army, which he thought had been fully discussed the other night, although there were many hon. Members who desired to express their opinions. But he quite dissented from the observation of the right hon. Gentleman at the head of the Government that the five nights' debate on the Motion for the second reading obviated all necessity for further discussion. He took issue on the ground that the House was now in possession of further information than it had on the previous occasion. He himself had a Motion on the Paper for further information on specific points; but the forms of the House precluded the Motion from being put. He knew that many hon. Members were desirous of supporting that Motion, and he was convinced that the matters to which it referred required discussion. But the Bill could now be reviewed by the light of questions which had been asked and answered, by those which had been asked and not answered, and by the light of the discussions on the various Budgets which had been introduced, all more or less connected with the Army Regulation Bill. His original opinion as to the faultiness of the measure had by these proceedings been confirmed, and he was by no means surprised that it should have been unfavourably received by the country, or that that opinion should not have been altered by the discussions that had taken place in that House. In their five nights' debate very few hon. Members spoke in favour of the measure; there had been ten or twelve Amendments or substantive Motions against it, every one of which emanated from the other side of the House; and although some hon. Members on the other side of the House had declared for some inscrutable reason that they would vote for the Bill they criticized it root and branch. Some spoke contemptuously of panics, but the panic in this case was the result of mismanagement; another was humorous about the dislike people had to paying for champagne which had been drunk, but his simile did not apply, because it was not champagne of the true brand. The Government had been asked for reorganization, and they had tendered a Bill; they had been asked for efficiency, and had given increased expenditure, and said, "This is the result of your panic." He could quote the hon. Member for Sunderland (Mr. Candlish), and the hon. and gallant Member for Cambridge (Mr. R. Torrens), who had both denounced the measure in strong terms; but perhaps the opinion of Mr. Mill, who was in favour of the abolition of purchase, would have weight with the Ministerial side of the House. Mr. Mill, at a large meeting in St. James's Hall, said the Bill as a whole was a step in the wrong direction; it did not appreciably strengthen our national defences, and contained no germ for a better system in the future; and he added that the least that could be done was to insure that £3,000,000 was not paid for a system which did not produce a better Army. In effect, Mr. Mill's opinion was that the Government measure did not come up to what the country had every right to expect. The subject now before the House might be treated broadly, and in order to present an analysis of the situation, he proposed to divide it into things known and things unknown. With regard to what was known—to what the Bill would do if it passed into law, and what the present intentions of the Government appeared to be—according to the Estimates, he found that the present system of officering the Army was to be entirely changed and overthrown, and first appointments were to be stopped. Assuming the Bill was to become law, the consequence would be—without any Resolution such as that passed before the Irish Church Bill was brought in—first appointments were ordered to cease, and additional duties imposed upon officers who remained in the service after the passing of the Bill. Then the terms of enlistment were also altered. In the Reserves the system of officering was to be changed, and especially the arrangement as to the appointment of adjutants. He knew of nothing more inconvenient to any commandant than to have sent to him an officer of whom he knew nothing, and in whose selection he had not a word to say. An adjutant so appointed might be a good soldier, but as his position was generally that of a confidential friend to the commanding officer, he might prove to be quite unsuited to the duties. This was something like a man having a wife sent to him without his having the opportunity of making the choice himself. Now with reference to expenditure, so far as it was known. It had been estimated that the abolition of the purchase system would cost £8,000,000; the Budget provided for increased taxation to the extent of £2,800,000 to carry out this Bill and for other purposes; an additional 2*d*., making a 6*d*. income tax, was to be imposed to meet the proposed charges; and, last of the things known, were the insufficient data and lack of the information upon which the Government Bill appeared to be founded. If the House demanded an illustration of this part of the subject he could direct their attention to what had occurred in the course of the discussion. An hon. Member on that side of the House, pointing out the excessive number of major-generals there were, addressed to the Treasury Bench the question whether that excess was not owing to a great number of colonels having retired on honorary rank? but although the Secretary of State for War, the Financial Secretary, and the Surveyor General of Ordnance were sitting there, not one of them vouchsafed an answer to his hon. Friend's question. What was it that the measure did not do? It did not alter the age or improve the *physique* in any way of the recruits. The enlistment of those wretched boys was still going on, and nothing could be more deplorable than the stuff which it was intended to work up into new soldiers at Aldershot. The Bill did not stop the competition that had hitherto existed between the Line and the Militia. It did not put the Army or the Militia Reserve on a better footing, beyond adding to their numbers; it did not augment the numbers nor increase the efficiency of the Militia. It professed, with regard to the Volunteers, to give the War Department better control over them; but in reality it did nothing of the kind. The Bill made no provision either as to the Artillery or the Reserve; it did not improve the Yeomanry; it provided nothing in the way of hospitals, transport, arrangements as to field equipments, for either the Militia or the Volunteers. Lastly, the Militia and Volunteers were not formed in any way into brigades. He now approached the most important part of this question — namely, the "things unknown" to the House and the country as to the intentions of the Government. What did the Government substitute for the change it contemplated in regard to the officering of the Army, the system of promotion, retirement, and first appointments? Nothing whatever, further than that the whole thing was to be altered by doing away with the purchase system. The House was not informed as to the terms of service, or as to the security the country possessed for the appearance of men in the Reserve whenever they were wanted. He had been informed that the anxiety to get men was so great that 30*s.* had been paid to each recruit on account; and that it was the intention of many of these men to go over to America, so that when they were required they would have to be called from beyond the vasty deep. So much for the prospects as to the Army. With regard to the Reserve, the necessity was urged of combining, by some plan or other, the Reserves with the Regular Army. On a former occasion he endeavoured to show that all the advantages sought by the abolition of purchase, including that of officering the Reserve with regular soldiers, could be got without entailing upon the country the enormous cost of the Government scheme. He threw out the challenge to hon. Gentlemen opposite, whether what he proposed could not be done? The House were not yet informed how the amalgamation of the Reserves with the Regular Army was to be effected. Nor did they know what the first immediate cost would be: £600,000 had been spoken of; but he would remind hon. Gentlemen opposite that if, as some persons said, one-half, and others one-fourth, of the officers should take advantage of what the Bill enabled them to do, and sell out of the Army, the effect would be entirely to upset the calculations of the whole financial scheme of the Government, unless some agreement were made as to the selling out. Lastly, the House did not know what would be the total cost, and the permanent charge entailed upon the country by this measure. Supposing that, by some clever arrangement with the officers, the scheme were made to act like a system of retirement, there must necessarily be a time—it might be 10 or 20 years hence—when any such arrangement must come to an end, and when we should have to face some change. Although the Financial Secretary now repudiated figures, brought before the House in 1868 on this subject, Mr. O'Dowd, who prepared them, did not appear to have changed his opinion. The question in 1868 was, whether in regard to pensions £1,000,000 might be saved, that sum being about the equivalent for the retirement. Questions had lately been put to the Government, and Motions made almost without end; but they had scarcely elicited any of the information which the House had so long and so urgently demanded. He had himself inquired of the Secretary of State for War what charges were to be considered transitory, and what not transitory; but he received the partial answer that transitory charges were such as those for the purchase of artillery horses, stores, and armaments for fortifications. But these things were required at all times; they ought to have been provided before; and therefore they could not be regarded as transitory. Turning to the speeches of the Prime Minister and the Secretary of State for War, he searched in vain for light on the real questions involved in the Government scheme. Then came the question of valuation, which was the basis of the Bill. The Secretary of State for War said it was the intention of the Government to employ Army officers in commanding auxiliary forces; but he did not know to what extent, and no one could say with certainty what would be the results, and that he could not say what amount of money would be necessary to meet the terms of retirement; and that with reference to the terms of selection which it was intended to exercise, it would be done with a due regard to regimental considerations, from the highest to the lowest of the officers in the Army. With regard to the system of selection, the right hon. Gentleman said the eminent men who were now preparing the rules by which the system of selection would be guided would, he believed, be able to establish such a system as would give great satisfaction to those who believed that merit would gain them their selection; but who those "eminent men" were the House had not the most remote idea, and still more remote was the system that had been elaborated, but whether in London or in Ireland he did not know. But this and other important points connected with it were questions which the House would naturally suppose had been duly deliberated upon, and carefully considered by the Government in the Cabinet before bringing in the Bill; but so far from that the Prime Minister said they were questions that would have to be considered after purchase had been abolished. But the House required to know them before purchase was abolished, and that was the reason why so many attempts had been made, but in vain, to elicit information from the Government. He was inclined to think from the course taken by the Government that they had, in fact, no information to give—they were on the horns of a dilemma; either they had information which they refused to give—and that could only be upon the ground that if it were given it would endanger the Bill—or that they had no plan at all. If they were without a plan what was their position? In deference to the fallacious arguments and wild statistics of the hon. Member for the Border Burghs (Mr. Trevelyan), they had sought to make political capital out of this question, and had brought in a Bill overthrowing what exists, and entailing unknown changes, and introducing a system unknown to themselves and the country. He did not believe they had a plan; and they had been told that "eminent men" were engaged in elaborating a scheme to fulfil all the purposes which the Prime Minister said would have to be done after purchase had been abolished—

"Ex uno disce omnes."

Another reason for thinking that the Government had not any system was furnished by the Secretary of State for War, who, when pressed for some definite information, said—"I have not any definite plan for the moment." [Mr. CARDWELL asked when that was said.] In answer to a question on the Army Estimates. He ventured to think that it was not only strange conduct on the part of the Government towards the House, but that it was thoroughly novel. The Government on Monday night characterized the conduct of the Opposition as novel and unprecedented, and he rejoined that the course of the Government on this occasion was novel; but it would fail as others had done, and that to deal with this question in the manner proposed was not wholly unprecedented. As to the novelty of the proceeding, the Government were going to uproot what exists without giving the House an inkling of the cost of the plan, which was certainly a novel proceeding in contrast to what they did with regard to the Irish Church and the Irish land questions. Instead of bringing in a Bill at once, a Resolution was agreed to in one Session, and in the next a Bill was introduced giving most minutely the details of the plan, even so low as the interests of the organ blower and parish clerk, and thereby at the same time giving the cost as well as the mode and manner of the change. In this case the proceedings were entirely different, and the novelty of the course was on the part of the Government, and not of those who asked for information. In 1866 when Lord John Russell introduced his Reform Bill, he attempted a similar course by introducing a measure that would deal with the franchise only, leaving the question of the distribution of seats for further consideration. But that course was opposed by the present Marquess of Westminster, seconded by the present Earl of Derby, and the result was that the Government were only in a majority of five, which they considered equivalent to a defeat, but instead of resigning they acted on the result of the division, and brought in a Bill dealing with the whole question. And that was what ought to be done now. On that occasion there was delivered, according to the *Annual Register*, "a speech of great argumentative power" against the Bill, and the arguments of the right hon. Gentleman who delivered it were "received with vociferous cheers from the Opposition side." What did that right hon. Gentleman say—

> "Although the Government had withheld the information necessary to enable this House to form an opinion, they nevertheless demanded their votes. He believed this information was kept back out of mere wantonness, and with the purpose of seeing whether the House of Commons could not be made to pass under the yoke? On the clearest grounds of self-respect and honour the House ought not to allow the Government to attempt anything of the kind."—[3 *Hansard*, clxxxii. 2088.]

The right hon. Gentleman who said that was now the Chancellor of the Exchequer, and he was followed into the Cave of Adullam by the right hon. Gentleman who now represented Liskeard (Mr. Horsman), and who then said—

> "The sound, strong, masculine, English common sense of Lord Palmerston would never have sanctioned a measure which had so little to recommend it and so much to which exception might be taken."

He was curious to know what distinction the logical mind of the Chancellor of the Exchequer could draw between the two cases, and he should be much surprised if the right hon. Gentleman the Member for Liskeard was not, in reference to this Bill, of the same opinion that he held in 1866 as to the Reform Bill. This was the precedent to which he had referred, and which, though extremely encouraging to the House of Commons, was not encouraging so far as the Government was concerned; they had been defeated and compelled to show the whole of their hand. This brought him to a consideration of the course which, in his opinion, the House ought to take. The course was to follow the precedent to which he had referred, and stop the Bill unless the Government gave them the required information to which they were entitled, and which the Government, as responsible Ministers conducting the affairs of the country, were bound to give. He did not wish to defeat this measure by a sidewind; but he would venture to observe that Mr. Mill, whom he happened to meet by accident a few days ago, expressed an opinion that the course he was recommending to the House was the proper one to be taken. The Government, though they had had abundant opportunities, had not yet stated their scheme of retirement in full, and until they did so it was, in his opinion, the bounden duty of the House to stop the progress of the Bill. On Monday night a small band of determined Members took the course he was now recommending, and a proof that what they did was not regarded as factious was afforded by the fact that no single Liberal newspaper, so far as he knew, had written against the opposition then offered. He admitted that strong circumstances were necessary to justify such a course; but happily, though these were somewhat dictatorial days compared to others, and though there might be more democratic liberty coming, he doubted if they possessed such real liberty, both outside and inside that House, as they had seen. The forms of the House placed in the hands of a minority a weapon of great power and keen temper—a weapon not to be rashly drawn or recklessly used; but there were occasions—and this, in his opinion, was one of them—when it ought to be used to the full extent of its power. He wanted to know, among other things, how, under a system of selection, with the Secretary of State, who would have control of it, a Member of the House of Commons, it was intended to guard against favouritism, Parliamentary influence, and other abuses, and until he had information on that point he should avail himself of all the forms of the House to defeat the measure, in full confidence that his conduct would be approved, both in that House and outside the walls of Parliament.

COLONEL C. H. LINDSAY* said, that it was not his intention to take up the time of the House by again going over the various objections which he had to the abolition of purchase in the Army, upon which he had spoken in a former debate; but he felt that the rocks and shoals which appeared to have been surrounding the constitution of the British Army since the introduction of this Bill into the House, did not seem to be in any way cleared off by the announcement of the Secretary of State for War, a few days ago—an announcement which, no doubt, he made by way of concession to the officers, and in the spirit of justice, under the peculiar circumstances of the case. The right hon. Gentleman proposed to repeal the limitation which he had placed upon the redemption of the price of commissions alluded to in Clause 3 of the Bill, which meant to say that he was now prepared, at all hazards, and without regard to the immediate cost to the country, or to the prejudice it would be to the interests of the Army, to accept, without the possibility of check or control, the retirements of the whole of the officers of the Army, if they chose to close with him, and demand the full price of their commissions as soon as the Bill became law. He asked, had the right hon. Gentleman contemplated such a contingency? Had he calculated what number of retirements might or might not take place at the moment, consequent upon this wholesale and tempting offer as a ready money transaction? It was impossible; he could not; and therefore he could not tell the House of Commons what might be the liabilities which he was running the risk of heaping upon the shoulders of the taxpayers of the country; nor could he tell the House what would be the effect of this reckless bartering with the life and soul of the Army. If he had done so, could he not see the impossibility of dealing with such a question, either in a financial or in a military point of view, without further data to go upon—that is to say if he intended to be just—and that to be just, the confusion which he had already created in the ranks of the Army would be doubly confounded? Now it might be asked, why should this be? The reply was obvious; because, owing to the want of confidence in the future, intentions and promises of the Government of to-day, which, if delayed, might never be realized, and which might be upset by the opinion of discontented taxpayers next year, or the year after, a large proportion of officers would naturally take the ball at the hop, and sell at once their commissions to those unwilling buyers, the taxpayers, who, when they had paid their money, would have found out that they had gained nothing by the transaction, and that the officers, and the officers alone, for whom they did not care a straw, would be the gainers, whilst they themselves, and the Army for whom they ought to care, would be the losers. Now, the Motion of the hon. and gallant Member for Bewdley (Colonel Anson) did not attempt so dangerous a scheme as that, for he, not believing in the possibility of this wholesale buying up of property ever being realized as a commercial transaction, and seeing the critical position into which the most important machinery of the Army was likely to be placed, proposed by way of making the best of a bad job, supposing that purchase was really to be abolished, that the regulation value should be paid down at once without retirement, trusting to the honourable pledges of the Government, and the provisions of the Bill, to pay the over-regulation upon retirement. He thought that the House was wrong in rejecting that proposal, which appeared to be a straightforward and safe compromise. He went on to say that the limitation alluded to would, no doubt, have been a great injustice to the officers, which had been thoroughly shown in a former debate, and the right hon. Gentleman must have felt it. But its repeal, just, no doubt as it was, if purchase in the Army was to be a thing of the past, would strike a severe blow at the prestige, condition, and, he would add, the discipline of the Army, by, as it were, deliberately bribing out of it in a wholesale manner, and before their time, a body of gentlemen, who as officers are second to none in the world. On the other hand, the repeal of this limitation would disturb the financial calculations which may or may not have been made; for as the demand for the immediate redemption of the whole value on retirement would be unlimited, it would be uncontrolable; and, as retirement is to be the *sine quâ non*, the effect would be disastrous in every point of view. This portion of the Bill, therefore, he considered to be in such a state of chaos that any satisfactory progress would be impossible, and, to attempt progress at all, would be only wasting valuable time, so that in the words of the dropped Motion of the noble Lord the Member for Haddingtonshire (Lord Elcho), this House should decline to proceed further with the Bill until the whole scheme of the Government for the promotion and retirement of officers, together with an estimate of its probable or possible cost, and also the plan for the amalgamation of the Regular and Reserve forces, had been laid on the Table. He could not agree with the doctrine which had been so pointedly laid down by right hon. and hon. Gentlemen during the debate on the Budget, and also by the Prime Minister, and the hon. and gallant Member for Truro (Captain Vivian), last Monday, that because the second reading of this Bill had been taken without a division, the principle of the abolition of purchase in the Army had been affirmed and approved of by the whole House. He protested against such a doctrine, and it was not right or fair so to mislead the public mind, when it was well understood by every Member opposite that, from the tone and decided character of the debate that preceded it, it was read a second time by the will of the large majority opposite, composed of the Liberal and Radical sections, but under the obvious protest of the Conservative minority. He confessed he thought it questionable to have allowed the Bill to be read a second time without a division, when the House of Commons was not thoroughly acquainted with the difficulties and results of the violent changes in prospect; but when it did allow it to pass that important boundary line, in the absence of any detailed explanation of the plan and specifications of the Government, it was surely incumbent upon a responsible assembly such as this to insist upon being better informed before it committed itself any further to the dangers of those blindfold experiments which were about to be applied to the military armaments of the country. Various Members had in their turn availed themselves of their privileges and the forms of the House, and had put Question after Question to the Secretary of State, for the purpose of gaining the necessary information; but each and all were as ignorant as before they asked their Questions. He asked, was it not trifling with the House of Commons—was it not ignoring the privileges of the Members, if the Government had the information required, and which it was bound to have to conduct such a measure as this, but did not choose to impart it. And if it was unable to afford the necessary information because it had not got it, as it had more than once confessed to the House, could there be a doubt but that the Government was rashly trading upon its voting power, and grossly abusing its position, which was rendered doubly responsible, owing to the very power which it possessed? The Secretary of State had, indeed, foreshadowed a gigantic revolution in the future management of the Army and its Reserves. He had embraced a variety of subversive plans, for what? For the re-modelling of a new-fangled structure upon the site of an old and time-honoured institution—an institution which had sustained and maintained the honour and the prestige of England in the battle-fields of the world for centuries past. And he had, in endeavouring to effect this violent change, left far too much to our imagination to allow the House to deal with his scheme without fear and trembling. The Government must, therefore, not be surprised at the opposition which hon. Members on this side of the House, as well as many on the opposite side, intended to give to the scheme of the Government; nor must the House of Commons refuse that patience which was due to the elucidation of so misty and intricate a question. The increase in the Army Estimates of £3,000,000 was obviously the result of a reckless economy. And what was the consequence? We were called upon to legislate upon the *debris* which that policy had created, and to do so blindfold. In saying this he was confident that the House of Commons would not have grudged a penny of the enormous sum demanded in the Army Estimates if it could have been convinced and assured of the *bonâ fide* efficiency of the Army and its Reserves being secured. The country had already expressed itself on that important subject, and there was no doubt that the general conviction was that every exertion should be made to render the military armaments of the country more efficient in theory as well as in practice; that the Army, though small, but tremendously expensive, should be perfect, and that the Militia, which was its great and reliable Reserve, should, if not largely increased, be thoroughly trained. Now what did they find? That although some £3,000,000 had been added to the Army Estimates, running up the Bill to about £16,000,000, neither the Army, or its Reserves, had a prospect of being placed in a satisfactory condition. But the whole constitution of the service was to be convulsed and turned upside down; and when the specifications and Estimates of the Government scheme were asked for, they were not forthcoming, because they never existed, because, to employ the words of the hon. and gallant Member for Truro—

> "It was quite impossible to submit any scheme of retirement until the House and the country were able to judge what would be the effect of the abolition of purchase on retirement."

And to quote the words of the right hon. Gentleman on Monday night, "information was asked for that nobody possessed." Therefore, if this portion of the Bill was to be forced through Committee the taxpayers would again have it thrown in their teeth in the words of the Chancellor of the Exchequer, "That the dinner had been eaten, the wine drank, and there was nothing left but to book-up and pay the Bill." Now, this Bill was called an Army Regulation Bill; it certainly was not an organization Bill, for its effect would be to disorganize the best elements of the Army system. There was no doubt that the mainspring of the Bill was abolition of purchase; break that spring, and it would crumble to pieces. It was right, therefore, that we should understand what the character of those pieces was that would remain if the abolition of purchase was defeated. The Bill did not contain a single provision which would be likely to render the Army more efficient than it was at present. For instance, no one could suppose that the abolition of purchase would improve the tone and quality of the British officer; no one could suppose that what is called Army Enlistment in the Bill was intended for any other purpose than to create Reserves, as being in the eyes of the Government a more important branch of the service than the standards; and no one would imagine that the third part of the Bill, under the heading of "Auxiliaries," possessed any magic wand with which to conjure a myth into a reality. It really seemed as if the thoughts of the Secretary of State, when upon these subjects, had recalled his mind to the days of his childhood, when he first saw the famous trick of baking a pancake in a hat, the ingredients for the making of which being thrown into it, the article was produced at once. But the difference between that performance and this was, that the pancake was ready made—and a very good one it always was; but in this case the ingredients which had been thrown in were so unpalatable that they would not mix or amalgamate, and therefore the trick would prove a failure. Now, the right hon. Gentleman had said that he could not re-organize the Army, and make it fit for service, unless purchase were abolished, which was his excuse for bringing in this Bill. He should like to hear what the Duke of Wellington would say if he were to rise up from the grave at this moment, and be so fortunate as to catch the Speaker's eye during this discussion. He should also like to hear what his distinguished generals and colonels would say—such men as Hill, Picton, Ponsonby, Cole, Beresford, Kempt, Craufurd, Maitland, Pack, Colborne, Barnard, Blakeney, and a host of others who fought in the Peninsular War, and wound up their victories on the plains of Waterloo? They would have told the House that it was quite immaterial, as far as the organization of an Army was concerned, whether the officers purchased their commissions or not; and so it was. But he contended that there was no practical plan for re-organization explained in the Bill which was in any way dependant upon the abolition of purchase. For instance, there was not even an allusion made to one of the most important branches of true organization—namely, the power of the expansive element of the Control Department; and it was the duty of the House of Commons to analyze the capabilities of that mysterious department. Surely the existence of purchase did not stand in the way of that department. Then, again, the necessary information upon the working plans of the scheme for amalgamating the Regular and the Reserve forces had not been given, though repeatedly asked for, which showed how completely unable the right hon. Gentleman and his advisers were to cope with the difficulties which were continually cropping up, for which the Secretary of State was officially responsible as the main creator of the vast and violent changes which were about to be pressed through Parliament. The purchase system could in no way interfere in that respect, for no interchange of officers between the Army and Militia could be realized, when one officer was paid and the other was not. He wished to take the Bill and analyze it. What did it consist of in the way of making the Army more efficient, and its Reserves with it? The chief features of the scheme upon which the efficiency of the Army was to be based were abolition of purchase, Army enlistment, and general amalgamation. He had already spoken on the abolition of purchase. With respect to Army enlistment, he was at a loss to know why it was put into the Bill this year when it had been brought before Parliament last year, severely discussed, and passed into law. But there it was. Now, what did it mean? It meant nothing more or less than short service, which he thought was a great mistake, and which would be found out when it was too late. He had always considered that one of the most important features in the character of the British Army was its *bonâ fide* profession, and that to be regimentally perfect, it should be composed of a machinery of men and officers, closely allied with each other from their youth upwards, and who had entered the service with the intention of spending the best part of their lives in it—of men who had habituated themselves to the specialities of the service, and who had imbibed that *esprit* and knowledge which was essential to the tone and character of the service which they had adopted. Now, that appeared to be more or less ignored; but he was glad to think that, for the present, long and short service were to be allowed to run alongside of each other. He had always considered it a questionable policy to endeavour to get rid of the old soldier, and prefer the young and inexperienced man as a soldier, who was never likely to make so good a sample; because, for the purpose of creating an Army Reserve, his services were to be virtually dispensed with from the standards, just at the very time when he had arrived at the worth of the money that had been expended on him. He had serious doubts as to the satisfactory solution of that problem; and he said so because the constitution and prestige of the Army would be prejudiced if long service were to be discouraged, for it would eventually destroy the Army as a profession, and it would seriously damage the recruiting interests of the Army. In corroboration of what he said, what was the reply of the Secretary of State to the Question that was put to him at the commencement of the Session, as to how many men had enlisted during the previous six months? It was as follows—26,155 had been enlisted, out of which only 3,383 had enlisted on the short service system. The reason was obvious. There was no inducement on the short service system; there was no prospective advantage; the pension, which was the most important prospective advantage, was virtually abolished; and there was no doubt that the quality of the British soldier, which experience and habit could alone create, would be reduced. Indeed, he did not see how it would be possible to cope with any great emergency with, as it were, a comparatively mutilated Army, as it must be on the short service system, at the very moment when it should not only be perfect in seasoned efficiency, but also in that most valuable of all its attributes—the regimental system, which had never yet broke down, but which this Bill was doing its best to destroy. He confessed he was surprised to think that an hon. Member of this House should have risen in his place a few nights ago, and deliberately asserted that "so long as there was long service the Army would be a curse to itself and the community in which it existed." And why did he draw that damning conclusion? Because, he said, "a celibate Army could never be anything but an instrument of vice." He quite forgot, or did not choose to remember, or perhaps his experience had not prompted him, that the haunts of vice were not less frequented by unmarried civilians than by celibate soldiers. He should have borne in mind, as an Army reformer, that it was no fault of the soldier that he had so much idle time on his hands; but that the fault lay at the door of the system, which had not yet provided for trade and labour employment when off duty, which would render a man more contented, and better able to marry, and keep himself out of temptation. A system which the hon. Member for the Montgomery Burghs (Mr. Hanbury-Tracy) would agree with him when he said that it would be an economy to the State, and at the same time benefit the health and habits, and the pocket of the soldier, who, if able to work, was worthy of his extra hire. The Secretary of State acknowledged last year, in his speech upon the Army Estimates, that he had consulted several military authorities respecting the short service scheme, and that they did not think it would answer. What did he say to them? He said—"I respect your opinions, but I cannot accept your objections, as I hope for better things." And he added—"I look forward to seeing the broad line of demarcation between the Army and civil life in some way diminished." He thought, with all respect, there never was a greater mistake. The military profession should be pure, simple, and distinct, and so ought civil employment if it was to thrive; but when once they were converted into a sort of hybrid condition both must be prejudiced. The Secretary of State, also, on that occasion spoke of a better class of men for the Army. He contended that the Army did not want a better class of men. The right hon. Gentleman could not make a better soldier than had adorned the ranks of the Army from time immemorial. Hitherto, the profession of the Army carried with it the reward for long and faithful services as an acknowledgment to the man who had made himself a valuable and seasoned soldier, no matter from what class he originally sprung. A better class of man may sound very plausible, but if they excluded the lowest classes, they would seriously contract their recruiting field; besides which he had yet to learn the objection to that class, who, being idle and dissolute in their parishes, were better placed in the Army than anywhere else. Experience had shown that such men were as good, if not better, for active service than those who might be socially above them in the scale; besides which their becoming soldiers had over and over again proved the means of converting many a reckless character, under the law of military discipline, into a valuable member of the profession. It mattered not what a young man's character might be up to the moment of his enlistment provided that he was an ablebodied and healthy man. He trusted the House would not countenance any policy which would cut away the props and mainstays of the British Army which had stood the test of generations. The country had a voice in that matter, for it must surely be as anxious as ever to possess the guarantee of a hitherto invincible Army, and it could not sanction the calculations of experience being hastily overthrown which would render the Army comparatively impotent, at the very time when it ought to be strong for battle. He trusted, therefore, that it might remain optional for a man to enlist for long or short service. If for long, he would make the Army his profession, and become a valuable and seasoned soldier, according to the original sealed pattern. If for short, he would assist the right hon. Gentleman in the creation of the Army Reserve; but, whether it was long or short, he was convinced that the soldier should have the option of re-engaging, and that the Secretary of State should not possess the veto, or be in a position to disturb the career which he had chalked out for himself as a soldier—provided, of course, that he be a good and healthy man. With respect to the scheme of the Government for the auxiliary forces, the usual mistake was made, by mixing up the Volunteers with the general amalgamation, so as to render it liable to the same military law as the Army in time of peace—a system that could never work. Such a proposition was another proof how little was the constitution of the Volunteer service understood. There was no identity of composition between the Line or Militia, and the Volunteers. The ranks of the Volunteer service did not serve on the same terms, and until they were embodied they were wholly different, so that they could not, till then, be amalgamated by compulsion with any branch of the military service of the country without altering the whole character of the service, and running the risk and responsibility of creating discontent and its consequences. Then the Militia seemed to be left in the lurch as usual, for there was no scheme for rendering it a substance of future military reality by creating even a shadow of good things to come. The Bill finessed with the Ballot, liking it as an obvious necessity, but fearing the temper of the country upon its application. He observed, however, that the whole of the Ballot clauses (four) were proposed by the Government to be withdrawn in Committee. Now, there was no doubt that the Militia, and the Militia Reserve required the utmost consideration, for it was obvious that the expansive element so much talked of must principally emanate from the Militia. There was no lack of fighting power in the country; but it was not worth the paper upon which it was recorded unless it be trained in time of peace. They did not want a large Army, but what they did want—as was described a few weeks ago by a journalist —was "bones and sinews to be in perfect order, with a supply of flesh and blood to put on them when required." And, lastly, with respect to the Volunteer service which had been alluded to in the Bill, and upon which he was entitled to have a strong opinion—a service which, to quote the words of of the Secretary of State—"has most of the attributes of military life, and all the independence of the most perfect civil freedom." The right hon. Gentleman appeared to be playing a bold, and, he would add, a dangerous game, if he wished to keep it in its present condition; and, as one who had had some experience of, and had studied the exceptionable position of that great citizen Army, he had great doubts as to the feasibility or expediency of his intentions towards it; and he thought he should be borne out by a large majority of hon. Members on both sides of the House, who were Volunteers, when he said that any violent disturbance of the existing constitution of the Volunteer service, such as had been foreshadowed, would not only materially interfere with that special independence alluded to, but it would damage the prestige of the movement, and shake it to its very foundation. And he said so, because an institution which possessed so much unavoidable peculiarity, and whose records since 1859 were a history of no little credit and importance, had a claim upon the highest respect and consideration from the Government of the day. For when they looked back to that anxious time, they could not forget, nor could the nation, the nights upon nights which were spent by those who had undertaken to train the then little bands of recruits, and form them into corps and battalions; nor could they forget the perseverance and co-operation of every member enrolled, in the collecting of the bone and the sinew of the various localities throughout the country; and when they got it, how they fashioned it into military shape, and how they cherished every object of attraction and encouragement, and thereby blended duty with pleasure, and fascinated the country in the cause of self-defence. And the country and the Government were bound to remember how they had maintained their position, in spite of the antagonism of opinion, which was rendered powerless by its very conflict on so important and national a question. It had also to be borne in mind that the drill, and rifle practice, and discipline were in a healthy condition—a discipline which had been too much criticized in disparagement—a discipline that they created for themselves, and which lived on the *esprit* of patriotism and the dictates of self-respect. The Volunteer service, if it was to live, required encouragement, and not such an arbitrary pressure as was enunciated in the Bill. He wished to draw the attention of the House to a very grave question. He found in the Bill a proposal which would seriously endanger the very existence of the service — he alluded to the 15th clause, which provided for the application of the Mutiny Act when the Volunteer force was assembled, for the purpose of being trained and exercised, &c. The Secretary of State had explained that when all branches of the service were brigaded together under a general officer, all must be under one and the same military law. No doubt that was obvious in theory, but if the Volunteer constitution was to be changed and subverted, in order to take part in a brigade with the Regulars and Militia, although it might only be for a few days, a disturbance which would tend to break up the true character which it now enjoyed— the sooner it was wiped from the pages of history the better. It must be remembered that 11 years had passed over the heads of the Volunteers, during which time they had been constantly brigaded with the Regular forces, and under the command of many of their most distinguished generals—such as His Royal Highness the Commander-in-Chief, Lord Clyde, Sir James Yorke-Scarlett, Sir Hope Grant, Lord William Paulett, Sir John Pennefather, and others, all of whom had reported favourably upon the conduct and discipline of the Volunteers. The argument was, therefore, that if such commanders were satisfied with them, why disturb or interfere with the privileges of an institution which, to use the right hon. Gentleman's words again, "Has all the attributes of military life and all the independence of civil freedom." It seemed to be treading on delicate ground, for it savoured of a want of confidence in the discipline of the Volunteers which had rarely been at fault, and a want of courtesy to the officers, under whom the men have elected to serve and obey. He should, indeed, be sorry to see this intention pressed, for reasons which must be obvious to everyone who gave it a thought. Such a proposal as this was imposing a badge of military bondage one day and removing it the next. And upon whom was this to be imposed? Upon citizens who were not soldiers, or paid servants of the Crown, in any sense of the word. And who might be those citizens? Some thousands of the leading merchants and tradesmen throughout the country who were giving their time and their money in order to maintain this great national service—citizens who were not to be reduced to the level of private soldiers. Then, as to enforcing attendance beyond what a commanding officer was able. He asserted that no Government pressure would succeed unless the Ballot for the Militia or its Reserve were in force, or exemptions, such as from serving on juries, &c., were allowed; then there would be no difficulty. For, as Colonel Macdonald of the 1st South London Regiment so truly expressed himself a few weeks ago, that most assuredly any attempt made by legislation to enforce attendance at reviews and field days would only prove either a dead letter or cause the resignation of half the force—that the members of the force were Volunteers; they were in it of their own free choice, and the very fact of their having joined it was a guarantee for their willingness to attend to their military duties as far as their civil duties and occupations would admit. These latter duties, by the performance of which they and their families lived, were paramount in joining the Volunteer force. Then as regarded Clause 14, which was margined—"Engagement of Volunteers to qualify them from exemption from Ballot." A man of business could not be bound to time or locality. The only sensible exemption should be the possession of an annual certificate of extra efficiency, because whoever held it must be already trained. The hon. Gentleman the Member for the Border Burghs (Mr. Trevelyan) said, a short time ago, that he would not exempt Volunteers at all; but what could be more absurd than that, for the object was to train men who were not trained, and not to go through the farce of drilling men, who, by their certificates, had proved themselves already proficient. He regretted that no allusion had been made to the practical efficiency of the Volunteer service, which was a very different thing from the theoretical organization which had been so much talked of, but which could not be advanced beyond its present self-created limit. By practical efficiency he meant personal equipment. He was glad to hear from the Surveyor General of Ordnance a few days ago, in answer to a question which he (Colonel C. Lindsay) had put to him, that personal equipment would be issued to those Volunteers who intended to take part in the field movements of the Army in September. But with respect to the position of the Volunteer service in the event of invasion, which was the only emergency with which it had anything to do, there was not a great-coat, knapsack, blanket, mess-tin, or, indeed, any article, without which no body of men could take the field even for two days. He confessed it was a difficult question, and he did not find fault with the non-issue of equipment, which might never be required in the active service of the country. But he maintained that the difficulty could be overcome without costing the country a farthing, until the crisis, for which the Volunteers were raised, arrived. He said, let there be a uniform pattern of equipment for all the military services, from the shako to the boot; establish Volunteer stores in the various military centres, capable of equipping, say 300,000 men at a moment's notice. Let the Army, which was always requiring equipment, draw upon those stores, taking care that whatever was taken out was at once replaced, so that those stores might always be available for the Volunteers whenever they were embodied; and it would be from and to these stores that any temporary equipment necessary for camp or barrack life should be issued, and returned when the occasion was over. Those stores should be on the expansive system, so as to be rapidly prepared to equip 300,000 more Volunteers in case of invasion, because, whenever that unhappy time should arrive, not only 99 out of 100 men who were then enrolled would answer to their names, but a vast number of the 200,000 or 300,000 who had passed through the ranks of the Volunteer service since 1859, and who had been trained to drill and to shoot, would rally round their old regiments and would demand admittance as second battalions, all of whom would require immediate equipment, to make them of any use at all. When those contingencies had been provided for and well considered, the Volunteer service would then, and not till then, be placed in their proper position, and above any future cavil and rough criticism, as to their non-efficiency when required for the defence of their country. He threw that out as a hint for the consideration of the right hon. and gallant General the Surveyor General of the Ordnance. But if by simply arming the Volunteers, by paying them an inadequate capitation grant, and by imposing an unnecessary screw upon their civil independence, the Government thought that it had done all, he could tell it that it had done little or nothing. It would be only continuing the farce of thrashing a sham into a mockery, because it gave them the power to drill and to shoot, but it struck them with paralysis by affording them no power to move. Besides which, the Secretary of State was taking stock in his Estimates of an article which, by his system, would be useless at the very moment it was wanted. He was, therefore, valuing his military possessions upon false calculations. It would, indeed, have been better if the Volunteer service had never existed if it was to be continued in its present inefficient condition for immediate action; and better that it should be dissolved at once than that the existence of some 200,000 men with arms in their hands, but without the power of taking them into the field, should in any way interfere with that national and hitherto unsullied glory, which the Army of England had so justly acquired on the field of battle, and which, though liable to be seriously compromised by the violent changes in prospect, could never be effaced from the glorious memory of the past.

MAJOR ALLEN considered a scheme of retirement most important, and was borne out in the opinion by the evidence given by Captain Arthur Harrison before a Committee of that House. The Surveyor General of Ordnance appreciated well a scheme of retirement, and in the Control Department had started a scheme of retirement. If such was the case he could not conceive why there should be any difficulty in coming to a decision, to a certain extent, as to what that scheme of retirement should be. From statistics prepared by the actuaries in the War Office, it was evident that the annual charge which would be entailed upon the country by the system of retirement proposed by the Government would amount to £1,200,000. The right hon. Gentleman the Secretary of State for War had stated that one of the objects to be attained in abolishing purchase was to enable the Militia to be amalgamated with the Army. But that was tried once; and what was the result? The House would remember the feeling which was roused when it was proposed to take an officer from a Militia regiment and place him in the Royal Artillery. That ground, therefore, for doing away with the purchase system was not a good one. It was most essential that the officers should be kept contented; but that could not be the case until they had a reasonable prospect of obtaining higher rank within a reasonable time. One word as to "transitional" Estimates. He would like to know whether we had guns enough, and whether it was not really the fact that the Government would have to come year after year to the House to ask for some £500,000 to provide guns and stores? The Estimates, therefore, could not be fairly called transitional. He thought it desirable that the scheme of retirement should be placed before the House so that the country might know what it would have to pay for carrying out the system about to be established.

Colonel GILPIN said, they were called upon to abolish the system of purchase without knowing how to supply the place of the officers whose services would be dispensed with by the introduction of young blood into the service. Some persons considered that everything German was worthy of imitation; but to adapt similar institutions to a state of things totally dissimilar might be a very considerable mistake. The system of purchase had enabled us to get young blood into the service, and had worked well as a regimental system. It had been said that the system had narrowed men's minds. Now, he could not see how officers living together and encouraging each other could at all tend to narrow their minds. It was proposed that we should have a system of selection, and it was understood that there were some gentlemen of great importance behind the curtain who would bring out a scheme which should be generally satisfactory to those officers who were to be put over the heads of others, but not to those who would be left in the lurch. Let them take the case of a major who had an officer put over his head to command the regiment. What was to become of that major, who might be abroad braving disease in a pestilental climate? We had heard of such things as "Take care of Dowb." It might happen that Dowb got killed and that the major who was not thought fit to command his regiment had to take it into action. What must be the feeling aroused in such a case as that? This major who was considered unfit to command would have earned his commission by competitive examination, and not only that, but he would have to conduct the professional examination of every officer up to the rank of captain. With regard to the system of selection, he would refer to the opinions of Sir Charles Yorke and Lord Raglan, both of whom had filled the office of Military Secretary. Sir Charles Yorke said he considered that the system of selection would be highly prejudicial to the officering of the Army, and he should be sorry to see the system introduced. Lord Raglan said that it might prove a great abuse, and would not be so useful as the system of purchase. And Sir James Scarlett, in addressing a meeting of Volunteers in this Metropolis, said that he looked upon the abolition of purchase as stagnation, and upon selection as favouritism. He believed that to be the general opinion throughout the British Army. He regretted that the forms of the House would not allow him to say "No" to the Question that the Speaker do leave the Chair.

Mr. WHALLEY considered the proposition of the Government, inasmuch as it gave a greater prominence to the standing Army, unconstitutional, uneconomical, and a real curse to the country—it saddled the country with an increased expense, and by taking away men from civil pursuits for exclusively military duties it disqualified the rest of the population for national defence; and the right hon. Gentleman might depend upon it that so long as the mass of the population were destitute of military training they would never escape the recurrence of those periodical panics which the right hon. Gentleman was so desirous of putting an end to. Reference had been made to Prussia; but it was not necessary to go there for an effective system of military defence, for we had the best system to be found in Europe in our Militia, which was rooted in the institutions of the country. That system was full of life and energy, and the only thing required was that the men should be more efficiently trained to the discharge of military duties. He believed that the military education of the Volunteers had been of the greatest social benefit, and had never been regarded as any serious tax or an undue interference with any civil occupation. In Switzerland all the men were trained to act as soldiers, and that was regarded as the best part of the education they received, and in Prussia, harsh as the system was in that country, it had been attended with many social advantages in bringing different classes together and in developing their moral and mental qualities. But the standing Army, which was an experiment that was first tried only a few generations ago, was a most unsatisfactory institution. A standing Army, in the words of the Mutiny Act, was obnoxious to the people of this country. It was a sign of weakness and a discredit to the nation, because in a time of war its safety and honour ought to be upheld not by a few mercenaries, but by every man in the nation. But by adopting the Prussian or Swiss system of military training we should revive our ancient Militia system for the defence of our country.

Mr. F. STANLEY said, he could not help commenting on the smallness of the information which the Government had given to the House with reference to this measure. It was quite clear when the Bill was first introduced that it consisted of two points, the most momentous being the abolition of purchase, which the right hon. Gentleman the Secretary for War said was necessary for the complete amalgamation of the Reserve forces. The question could not but arise when they met their constituents as to whether they—the country—got an equivalent for the bargain proposed and the outlay involved in buying up the abolition of purchase. The right hon. Gentleman proposed to increase, to a great extent, the numerical strength of the Army; but he declined to deal with organization, without which the men would be of no more use in the field than those now being led in Paris to indiscriminate slaughter. He wished to know whether the Government had or had not any scheme with which they proposed to deal with the amalgamation, be it complete or be it partial, of the Militia and the Regular forces. Was any definite proposal likely to be laid before the House during the present Session detailing the views of the Government with respect to the organization of those *corps d'armée*, which would be numerically larger than any that had hitherto existed in this country in a time of peace, and were to be put merely under colonels of the Staff? At the present time there was some discontent prevailing among the officers of the Army, not altogether with regard to the proposals of the Government, but rather on account of the want of confidence with which both they and the country generally had been treated in this question of amalgamation. Expressions had been used in this House which seemed to confirm the report that had been circulated to the effect that half-pay officers had been consulted as to whether they would be prepared, and, if so, on what terms, to rejoin in some capacity either the Regular or the Reserve forces of the country. At the same time, more than one Militia regiment had found a difficulty in recruiting its permanent Staff. Hon. Gentlemen who knew with what avidity non-commissioned officers would, in ordinary times, accept posts on the Militia Staff would appreciate that fact, the avowed ground on which these non-commissioned officers held back being their fear lest there should be imposed upon them additional duties, of which they were at present unaware, and the performance of which would alter the character of their employment. Without discussing the question of short service, he desired to impress upon the House the danger of raising large Reserve forces without being prepared with an adequate organization for those forces when raised. All who had seen large bodies of the Reserves brought together would admit the necessity of the Staff being first completed. But, judging from the Estimates, there did not seem to be any intention of increase in that direction. As to the Control Train, he hoped the House would receive some assurance more definite than the mere remark "that the system was capable of expansion," and he trusted that some detailed information would be given to the House as to the means by which it was proposed to effect that expansion, for the country was naturally anxious on this point, having seen last year how rapidly and completely there could be brought together the largest force that the world had ever yet seen. The Government had now embarked in a great and in some respects formidable change in the constitution of the Army, which, sooner or later, must, if the present arguments were pushed to their natural and logical extreme, lead to the adoption of the compulsory Ballot. Yet there was not, even now, that information before the House of Commons which they had a right to expect, although the Secretary for War had brought forward a scheme which, as far as the protection of the country was concerned, was, if properly carried out, certainly not second to any that had been proposed in the present century. If any delay or obstruction occurred to the passage of the Bill, no doubt the blame would be thrown on the Opposition, because they thought it necessary to endeavour to obtain some information, but a heavier responsibility would rest upon the Government which apparently declined to give it.

Sir HENRY STORKS said, he could not help asking the question—"What more could be said on the subject of debate after the divisions that had already taken place?" Hon. Members had asked why no one had risen from the Treasury bench that evening; but he must remind them that it was necessary to hear what had to be urged before he could give any explanation. He was not going to follow the noble Lord the Member for Haddingtonshire (Lord Elcho), whose speech seemed very like the repetition of speeches they had heard on former occasions, and many of its criticisms were really more fitted for consideration in Committee than at the present stage. The noble Lord wound up in a tone of something like a factious opposition to the Government scheme. One of the arguments of the noble Lord was that as soon as this Bill was passed there would be an exodus of officers, who would either resign or sell their commissions; but since this Bill had been under discussion there had happened that which showed there would be a contrary result. His noble Friend wished the Government to explain, and, he supposed, to insert in this Bill all the rules and regulations which might be necessary in a scheme of retirement. [Lord ELCHO: Hear!] Now, this Bill had been introduced for the purpose of determining the great principle which should be laid down; but the points on which his noble Friend wished information were matters for regulations, to be subsequently made by the Secretary of State rather than for the determination of Parliament. He had no hesitation in saying that it was quite impossible for his right hon. Friend to present to the House the rules and regulations as regarded a scheme of retirement to be carried out to the letter. It was a simple impossibility. But when this Bill passed, and its provisions became law, he would be quite ready to consider, and place if necessary on the Table, such rules and regulations as he thought desirable and necessary for carrying out those provisions. The hon. and gallant Member for Abingdon (Colonel C. Lindsay) had entered into various details which were rather questions for consideration when the Estimates were before them than such as were fit for discussion in connection with this Bill. When the Army Estimates were under consideration he thought he would be prepared to show that if there was one principle more than another upon which he had acted it was this—never by economy in any one year to run the risk of increased Estimates in the next. The hon. and gallant Member said that the Duke of Wellington would never have submitted such a measure without a scheme by which it could be carried out. All that he (Sir Henry Storks) need say on that point was, that the circumstances of the time of the Duke of Wellington were very different from those of 1871. He did not believe that the Duke of Wellington could have submitted any scheme of rules and regulations necessary to carry out the Bill. The hon. and gallant Gentleman had used some strong expressions as to the character of recruits, and seemed to think that the dissolute men hanging about the streets would make very good soldiers; but there could be no doubt, when men of bad character and habits came into regiments, they proved a great injury to the service and corrupted the young soldiers who associated with them. He therefore hoped that a better class of men would make the Army more attractive, and enable them to discharge idle and dissolute characters. He believed that desire was shared by every military man in the House. The proper time for giving the explanations required by the noble Lord with reference to stores would be in Committee on the Army Estimates. He would then show satisfactorily what were the present supplies and the future demands, and that the Control Department was not so bad as it was made to appear, but was most efficient and effective and well reported on by every general officer who had anything to do with it. He would not now detain the House, and merely rose to say on the part of the War Department that it was impossible to produce the rules and regulations for a minute organization or retirement until this Bill was passed. When the Bill became law such a scheme would be produced not only with regard to the Regular Army but also the Reserve forces.

VISCOUNT BURY said, the imputation of something like factious opposition to the Government scheme which had been brought by the right hon. and gallant Officer against the noble Lord (Lord Elcho) was absolutely unfounded. Was it factious opposition in any Member to say before going into Committee, and committing, the country to a large expenditure the Government ought to state the amount of that expenditure, when it would cease, and what was intended to be done with the money that was voted? These questions had been asked 50 times, and had never received a shadow of an answer. And in the presence of those facts the Minister applied the word "factious" to their opposition. Well, they still insisted in their refusal to go into Committee on this Bill until they knew what the intentions of the Government really were regarding this expenditure. When his right hon. Friend the Secretary of State for War introduced this Bill he expressed his sorrow at having to say that the Estimates were greater that year than the previous one by £2,886,700; but he added that in respect to about £1,000,000 of that amount his right hon. and gallant Friend the Surveyor General of the Ordnance would show it could not again occur in the expenditure of an ordinary year. Well, they had waited patiently for the right hon. and gallant Gentleman to give that explanation; but they had waited in vain. Instead of vouchsafing the information so much required the right hon. and gallant Gentleman said that it would be more convenient to discuss such matters when they were considering the Estimates. That, indeed, might be a more convenient course for the Government; but it was absurd to suppose that it would be a satisfactory one for the party with which he acted on the present occasion; because then the clauses of this Bill would have been passed, and it would be then out of their power to stop the progress of a measure involving an expenditure which they believed to be undue, unwise, and uneconomical. He repudiated the imputation of factiousness the right hon. and gallant Gentleman attempted to fasten on those who demanded certain information before they proceeded further with this Bill. They were, however, determined to leave no stone unturned in order to elicit from the Government some explanation as to what their scheme of retirement was, and what they proposed to substitute in lieu of the Army which they meant partially to destroy. The Government said they intended to re-model our Army. What did they mean to substitute for that which they were about to demolish? The right hon. and gallant Gentleman said he had never supported a policy by which the decrease of one year should be followed by an increase of expenditure in the next. Now the total decrease of the two previous years in the expenditure for the army amounted to £2,361,000, being much less than the increased amount which the Government demanded for the military forces in the present year. Let the House mark the conduct of the Government in respect to stores. For the two previous years the Government effected a saving in stores amounting to something like £2,500,000. In the present year there was an increase demanded under this head of £1,815,800. So that all those extra sums were required to make good the unwise and wilful deficiencies of the two previous years. What, then, he asked, became of the right hon. and gallant Gentleman's principle that no decrease should be made in the one year that was likely to be followed by an increase of expenditure in the next? It would be impossible for the House to stop this expenditure if they agreed to the present Bill. The right hon. Gentleman the head of the Government knew that he (Viscount Bury) was no factious opponent of the Ministry. He had supported the right hon. Gentleman all along until he found it impossible to go any further with him. It was then with the deepest regret that he felt compelled to sever himself from the right hon. Gentleman, and his right hon. Friend the Minister for the War Department. Feeling as he did, he must endeavour to delay—even at the risk of being called factious—the passing of this measure by every means in his power, until he received the information he asked for as to the amount of the expenditure into which the Government were leading them. They had had various estimates made of the amount of that expenditure; it appeared to him that if they allowed the Government to have their own way in those matters, they were more likely to incur an expenditure of £40,000,000 than that conjectured by some Members on the Treasury bench. Many persons said that the abolition of purchase, far from producing the advantage its advocates anticipated, would destroy the British Army; and if they were to have a new Army, it was desirable that the House should be informed of what it was to consist. The right hon. Gentleman the Minister for War said that within a short time he got 20,000 recruits by the new mode of recruiting. He understood, however, that recruiting had since very much stopped. The standard had been reduced to 29 inches round the chest in order to get together the number of "noses;" he could not call them "men" when he had a boy at school with a girth round the chest of 30 inches. As long as they recruited on the present system, and the Militia recruits were of the same description as those for the ranks, so long would the recruiting fail. There were many subjects on which he was anxious to speak; but he would refrain in the hope that the Secretary for War would furnish the House with that long-desired information. If he had not got the information the obvious course was either to postpone the Bill until it could be produced, or postpone the clause relating to purchase, and proceed with the regulation clauses. That would be only one more added to the "innocents," and surely the right hon. Gentleman could not be so fond of this particular child. If he persisted, it would be the duty of the House to amend the measure; but it did not become the dignity of the House that it should be driven forward by a numerical majority before it had been supplied with information to justify its votes before the country.

MAJOR GENERAL SIR PERCY HERBERT said, the right hon. and gallant Gentleman the Surveyor General of the Ordnance had said it was impossible for the Secretary of State for War to come down and lay on the Table a scheme of retirement for the Army. He believed, however, that in the sister profession something of that kind had been enunciated by the late First Lord of the Admiralty (Mr. Childers). But he thought that there were at any rate certain questions which the House had a right to ask, and which the Secretary of State had full opportunities of answering. It would be impossible for him to say in what year retirement from the Army would take place; but when it did take place, what was to be the scheme of retirement—after 30 years, for instance? When he had got the answer to this question he would be able to calculate the cost of the abolition of purchase. Before they passed a Bill which would destroy a system that had lasted so long, they had a right to ask on what footing the retirement was to rest, and what was the estimated cost? There were several circumstances connected with this Bill which justified most fully the demand made by the noble Lord (Lord Elcho) who opened the discussion of the evening, that the House should have ample information with regard to those points. The measure could have had but a very crude consideration on the part of Her Majesty's Government. Take, for instance, the restrictive clauses explained by the Secretary of State in introducing the measure. Although he had himself spoke against them on the first night of the debate, and this had since been alluded to two or three times by other hon. Members, they had never been discussed or defended on the part of the Government, and now they were entirely ignored. If it had been considered as a great measure like this should have been, would clauses of this intolerant and tyrannical nature have been inserted and then swept out of the Bill without a word of defence? Again, in stating that he could give no idea of the cost of retirement when purchase was abolished, did the right hon. Gentleman mean to say that he had been so negligent as to institute no inquiries on this point? The right hon. Gentleman had surely employed actuaries to make calculations as to the probable cost, and the House wanted to know something about it. Hon. Gentlemen were sent there by their constituents to defend the public purse, and protect the people from ill-considered and unnecessary expenditure. The cost of retirement in the Army was only one-fifth of what it was in the Navy, where there was non-purchase; and they ought to have the advantage of the calculations of the War Office, so that they might form some probable notion of what the cost of retirement would be under a non-purchase system. The Estimate of the cost for this year which they had been favoured with made the sum of £600,000; but that Estimate was formed before the restrictive clauses of the Bill were thrown up; and they ought to know whether this Estimate would not be most materially altered by the restriction being taken off. It was clear that the £600,000 would go but a little way when the tyrannical restrictions imposed had been taken off. These were matters which justified hon. Gentlemen in asking that those questions should be answered before going into Committee, which was the proper place for discussing details. He regretted very much that he did not see the right hon. Gentleman the Prime Minister in his place. He did not say this by way of reproach, for he knew the right hon. Gentleman had been present the greater part of the evening; but he wished to receive some explanation of certain remarks made by the right hon. Gentleman on the 17th of March in the course of the debate on the second reading of the Bill. The right hon. Gentleman spoke of the misapprehension that arose from considering that the purchase system was divided into two parts, and that the regulation price was a transaction between the officers and the Government, and the non-regulation price a transaction between the officers themselves. The right hon. Gentleman said that the Government were not recipients of the regulation price for their own use and benefit any more than the non-regulation price. These were very startling words coming from the Prime Minister, and, with all due respect for the right hon. Gentleman, he begged to say that if he had known the facts of the case he would not have said so. In answer to an expression of dissent the right hon. Gentleman went on to say—

> "Certainly, in exceptional cases that may be the case; but what do those exceptions constitute out of the total? It would be idle for me to detain the House with these minute exceptions—for minute they are, compared with the great totals involved. Speaking generally, Government are the stewards of the transaction as regards regulation prices, and the payer and the receiver are the same in both cases."—[3 *Hansard*, ccv. 250.]

In consequence of these remarks he (Sir Percy Herbert) moved for a Return, which showed that £1,700,000 had passed through the Reserve Fund since 1841, the greater part of it since 1854. Between the Crimean War and the Indian Mutiny the sums in question amounted sometimes to £160,000 in one year. To show how that fund was accumulated he would state a case in which he was himself concerned, but not with a view to making any claim; for under the regulations of the service he had not a farthing to expect. After the Crimean War he was on the list of lieutenant colonels on half-pay. The Mutiny broke out, he was then a Member of the House, but he was sent out to India, having been appointed to a regiment in which there was a non-purchase vacancy, and thus was transferred from half-pay to the full-pay, the regiment serving in India. At the conclusion of the Mutiny he returned home and took a seat in the House. On leaving India he was appointed to a five years Staff appointment at the Horse Guards, and in order to to hold it he was replaced on the half-pay list. Therefore, as far as he was concerned, there was no increase of expenditure thrown on the half-pay list. What was the course taken by the then Secretary of State? Did he give this non-purchase vacancy for the benefit of the officers of the regiment without purchase? Not a bit of it; the Secretary of State sold the commission for £4,500, and he would like the right hon. Gentleman or the Prime Minister to explain when he said that Government were the stewards of the officers; for whom were they stewards, for him or for the officer who paid the money? The major who succeeded him and got the commission was of longer service than himself, but he had to pay for the step. During the last 30 years, by the system of pressure put upon officers by the Government, when a vacancy occurred, for the purpose of inducing them to purchase promotion, the Government had extracted £1,710,000 from the pockets of the officers, and that money the Government had applied in diminution of the half-pay list. And yet Members of the Government got up in their places to denounce the system of purchase as one that was a reproach to the officers of the Army.

Sir WILLIAM RUSSELL said, the discussion on the second reading of the Bill was limited by the Motion of the hon. and gallant Member for Berkshire (Colonel Loyd Lindsay) to the abolition of purchase only, and there had never been any discussion on the amalgamation of the forces or the re-organization professed to be intended but not carried out by this Bill. There was, no doubt, some reason in this, for although the Bill was called the Army Regulation Bill it ought to have been called the Abolition of Purchase Bill, for it really dealt with nothing else. The Government had no plan, and had embodied in the Bill no principle on which to found a plan. Everything was left to regulations to be framed hereafter at the caprice of the Minister of War for the time being.

This was too vital a question for the country to allow it to be played with in that way. He hoped the House would insist on the Government embodying in the Bill some intelligible principle before proceeding further with the Bill. The Army ought to know, and had a right to know, and the country would not be satisfied until it knew, how the Army was to be organized. They were anxious to extend the scheme of three-years' service men with the view of getting rid of pensions; but his belief was that if they did that they would get rid of their Army altogether. Their policy in this respect was a most dangerous policy. They had, apparently, a vague idea that three-years' service had worked wonders for Prussia; and that, therefore, it must work wonders for us; but they entirely forgot that the requirements of the two countries were quite different, and that the methods of raising and maintaining the Prussian Army would never be tolerated in this country. Prussia had a conscription; Prussia had no need of any long-service men. She had no India, and no Colonies. All Prussia required was a very highly-trained Militia for offensive as well as defensive purposes, which she obtained in no doubt a very effective way by subjecting every man to compulsory service for three years, which, although apparently cheap in the Prussian Budget, was carried out at an enormous cost to the country in the abstraction of so large an amount of labour for so long a time from the reproductive resources of the country. In the blaze of recent successes we had entirely lost sight of the struggles and fights, almost amounting to revolution, between the King of Prussia and his Parliament on this point. The country was groaning under the infliction. It had been temporarily forgotten under the excitement of the late successes; but now that the object for which all this preparation had been going on for the last 30 years was accomplished, no doubt the Prussian Parliament would soon insist on reducing the term of service to one year. Like the Prussians, we required a thoroughly-trained Militia; but ours would be only for home defence, not for aggressive war. It should be taken, not by conscription, but by voluntary enlistment. For our purposes this Militia school must be like theirs—permanently embodied; in fact it ought to be, he considered, 10 large Army depôts or training schools of 5,000 men each, located in 10 different districts of the country, officered by officers from the standing Army, and consisting of men between 18 and 21 years old, enlisted for one year's service in an embodied Militia, after that, returning to their homes and civil occupation, but under engagement to serve for five years in the regular Militia and ten years in the first Militia Reserve. We should thus secure as much of the Prussian system as would be suited to us. We might have a permanently embodied Militia, a depôt as a training school for men for one year's service, which was enough training for our requirements, which were purely defensive, not aggressive, instead of three years according to the Prussian system, which was, for offensive as well as defensive purposes, raised by voluntary enlistment — as suited to our national tastes and habits, as against conscription, which was suited to theirs—and of a regular quota of say 50,000 men a-year, between 18 and 21 years, instead of every man. There was a great distinction in our wants from Prussia's. She had no India or Colonies; she had no need for a standing Army of long-service professional soldiers. How were the duties of India and the Colonies to be performed? Certainly not by one-year's service men nor by three-years' service men. We must have a long-service standing Army of professional soldiers raised for these special duties. They must be taken from men selected by voluntary enlistment for long service out of the Militia after they had served their one year. This Army might be either a local Indian Army, as argued by some Gentlemen, or a standing Army. A local Army had already failed and been done away with, and he was satisfied would never again be established, as there were so many good practical reasons against it; but, whether local or not, it must be a standing Army of professional soldiers for long service. How, then, were we to get these men and keep them? We must take them by voluntary enlistment from our Militia after completing their one year, leaving these long-service men for our standing Army. What would the terms be? The sudden increase of the Army; and the equally sudden decrease and discharge of men in consequence of late years had much shaken the men's faith and increased materially the difficulty of enlisting. We must, therefore, keep our standing Army of professional soldiers as small as possible to fulfil the duties required of it; but the men taken into it should be made to feel that they were Government servants in that particular trade of professional soldiers for life; that they must thoroughly learn and practise that trade; and that if their conduct was good they were certain of continued employment. We must enlist them for long service, say for 12 years, in the Army; then they should pass, if their conduct was good, for 12 years into the first Army Reserve, with civil employment; and then if their conduct still continued good, into the second Army Reserve and Pensioners, allowing, however, married men of good conduct to pass at the end of eight years from the Army to the first Army Reserve. He was aware that one of the great objects of the Government was to do away with pensions; but it should be remembered that the men were not fools. They would naturally reason thus —"We see that the intention is to do away with pensions. To get service out of us for 6 or 12 of the best years of our lives, and then to cut us adrift to begin the world again and learn a new trade. We had far better, then, leave at the end of three years, when we are 20 or 21, and can learn a new trade easily, and begin life afresh, than wait until we are 29 or 30, have had our health shaken by Indian and foreign service, and then be sent adrift, when we may probably starve, or at any rate shall find it very difficult to begin the world again." The result would be that the majority of your men would take the Reserve as an excuse to get out of the Army at the end of three years, but not with any intention of sticking to the Reserve. They would accept their 4*d.* a-day for a short time, until it suited them to emigrate, or to remove, or give it up. By this means we should fritter away our standing Army, which would consist in a short time only of boys between 17 and 20 years, quite unfit for Indian and colonial duty, and we should have no reliable Army Reserve. So long as we had India and the Colonies we must have a certain small number of long-service men who are professional soldiers, and have taken to the standing Army as their trade, and as long as we require long-service professional soldiers, we must make them feel that they are certain of continuous employment, provided their conduct is good, and that they will have a pension when worn out in service, otherwise we shall not be able to obtain them by voluntary enlistment. Conscription could do without pensions, but long service by voluntary enlistment could not. The standing Army might be reduced gradually by 50,000 men, to be replaced by 50,000 one year's service men of a general Militia, from whom every other service might be drawn. And this would give a very much larger force of trained men for the same cost. 50,000 men must cost the same to keep for one year's embodiment, whether Militiamen or the Army; therefore they could keep and train 12 times 50,000, or 600,000 one year's service Militiamen, for the same cost as 50,000 12 years' service men. In this way the standing Army, although very small, would be of the very best material, and the Army Reserve would be thoroughly to be relied upon, being all old soldiers of 12 years' service. The existing Militia was not treated fairly, for 56 days' training could not make a good soldier; so that the system was a delusion to the country. He would suggest that the local or regular Militiaman, after being trained for four months, would require only a very few days' practice annually, and instead of being up 56 days for training and instruction, should only be up 14 days for practice, as 56 is four times 14. They could for the same cost have four thoroughly-trained local or regular Militiamen up for practice that they could have one indifferently-trained Militiaman under the present scheme. The men would be precisely the same class as the existing Militia only better trained, and would be quite as certain to be forthcoming when wanted, deducting the same proportions for casualties. There had been one point raised—that there would be a difficulty in obtaining 50,000 men annually for the proposed annual quota of Militiamen. It must be remembered that the standard for the 50,000 men would be the present Militia, not the Army standard, as only 18,000 or 20,000 would require to be selected for the Army out of the 50,000 men enlisted. The last year we enlisted 24,600 men for the Army, took 4,000 from Militia for the Army, and enlisted 16,300 men for the

Militia, making 44,900, or just 45,000 for Army and Militia. Although the whole 24,600 did not finally pass for the Army, they, in all probability, would have passed for the Militia, and the same men that were accepted out of them for the Army would equally have been accepted from them for the Army, had they all been in the general Militia, and the others would thereby have been secured for the local Militia after their one year's training. As the Government had given them no plan or no principle on which to found a plan, he had ventured to propose one, and to embody it in an Amendment to the Bill. They must have some plan on which to organize the forces, and if the Government had none to propose, he asked them to accept this and discuss it, or take back their Bill, embody some plan of their own in it, and let them have that for discussion. If not, he must go on, and endeavour by the assistance of the House to insert his Amendment. War as now carried on would not allow of unpreparedness. Want of organization meant national disaster. The House would not submit to any tinkering up of unsound machinery, or to experiments which could only result in destroying the small but efficient Army we had, and in giving us no reliable Reserves, nor an improved training and organization for our Militia and Volunteers. He trusted that if the House went into Committee on this Bill the Government would bring forward clauses of their own to embody some reasonable scheme in the Bill. He was anxious for the abolition of purchase, if the terms could be made satisfactory. No question was raised as to the right of the officers to the regulation price, and the Government in this Bill, acting on the Report of the Committee of last year, had acknowledged their right also to the over-regulation price. The matter simply resolved itself into a question of what was a just method and time for paying both. He could not but think that the fair course would be to give to the officers an option of two methods and times, and he believed that would result in entire satisfaction on the part of the officers, and a considerable saving of money to the country. The House might fairly say to the officers—"You shall receive the payment of the full regulation and over-regulation value of your present commission when you retire from the service, or it shall be paid to your executors in the event of your death while serving, provided you do not claim to receive the regulation value at once; but if you claim the regulation value at once you must accept that immediate payment in full satisfaction of all claims." That would be equitable; or the House might agree to pay the regulation price at once, and allow the proposal of the hon. Member for Birmingham (Mr. Muntz) to be carried out as to the non-regulation value. There were, no doubt, many advantages from his proposal; but there were some serious defects which would prevent its being accepted except by the junior ranks, to which it might be extended with great advantage. While it got rid of the greatest objection to the existing system of purchase—that was, purchasing officers passing over the heads of non-purchasing officers, it maintained the regimental system intact, while it accelerated and prevented any block in the promotion by the system of bonuses, as was done in the Indian Army when that was a non-purchasing Army. This bonus system would leave the existing over-regulation prices to be paid by the officers themselves, without asking the country to do so. It would also, by inducing officers to leave, save the country a very large sum which certainly would otherwise have to be paid as retirement, and that would be done at the cost of the officers anxious for promotion instead of at the cost of the country. To enable them to carry out the abolition of purchase most effectually, with justice to the officers, at the most moderate cost to the country, so as not to impede promotion, and not to demand a large sum from the country for retirement, the plan would be to pay to all officers up to, but not including, the rank of major, the regulation value of their commissions at once, and either grant them leave to use the bonus system, as proposed by the hon. Member for Birmingham, up to that rank, or establish a retirement of £75 a-year for every officer who, having served more than five years, up to fifteen, was willing to retire. For the rank of major, and all above it, to give them the option of taking the regulation price down, in full satisfaction of all claims, or receive on retirement from the service, or their executors, in the event of their death while serving, the full regulation and over-regulation values. As those officers who elected to remain on in the service and wait for their money would be serving for many years to come virtually without pay, side by side with officers receiving pay—for the pay they received would not be equal to 4 per cent on the money they left in the hands of the Government—he could not but think they must have a fair claim to say that the money ought to be considered their vested right, and to be paid to them on leaving, or, in the event of their deaths while serving, to their executors. As he had already said, he trusted the Government would submit some plan to the House; and if they did not, he trusted the House would support him in his endeavours to insert the Amendments of which he had given Notice.

Lord EUSTACE CECIL said, he was of opinion that neither the country nor the officers of the Army had been sufficiently considered in this Bill, with which they had good reason to be dissatisfied. The House was being led by the Prime Minister and the Secretary of State for War to take a leap in the dark into a bottomless pit of expenditure. Now, as he (Lord Eustace Cecil) had already, in the short course of his Parliamentary experience, taken "a leap in the dark" in the year 1867, he strongly objected to follow them. The Secretary of State for War and the Premier had repeatedly assured the House that they had no information to convey. Although they had been implored, threatened, and entreated to give some information, their answer was invariably in the form of a *non possumus,* which might be a good answer from the Pope to the King of Italy, but was not exactly the reply which they should give to the House of Commons if they wished this Bill to pass. The President of the Poor Law Board (Mr. Stansfeld) had informed the House that the cost for the present year of abolishing purchase would amount to as much as a halfpenny in the pound of income tax. That fact could not be too frequently repeated. He was convinced that if the constituencies only realized what an amount of expenditure this scheme would involve, there would be an outcry raised throughout the country to get rid of the Bill as quickly as possible. His impression was that nobody in the country cared twopence about the Bill. As far as they could discover from the Prime Minister's recent utterances, he completely ignored the question of retirement in the Army; but with all due deference for the opinion of the right hon. Gentleman, he contended that the right hon. Gentleman had entirely misrepresented what was necessary to the State as well as to the officers of the Army. The system of retirement was not only a boon to the officers, but an advantage to the State; and the State would be very foolish to incur such an expense as that contemplated, unless it were likely to derive some signal advantage from the expenditure; and he could not understand why, when they had a system of retirement in the Indian service, the artillery, and engineers, and marines, the Prime Minister should not have acknowledged that some provision of the kind was necessary if the present system was to be abolished. But he was afraid the right hon. Gentleman had become a convert to the doctrine which he had with great pain heard fall from the hon. Member for Nottingham (Mr. Auberon Herbert), who expressed a wish on the second reading of the Bill that the Army of this country should be effaced, and replaced by the Swiss system of Militia. A system of Reserves with short service would, no doubt, be beneficial, if it could be carried out; but under the regulations that were likely to be adopted by the War Office, they would have grey-headed captains and subalterns, and mere boys as recruits for the Army. The hon. and gallant Gentleman the Member for Truro (Captain Vivian) had stated that the result of the Government measure had been to raise instead of to reduce the price of commissions, and that the officers of the Army were so convinced that their property would increase in value that a major of cavalry had given a sum rather over the customary over-regulation price for a lieutenant-colonelcy. The fact was, that that officer, having a certain sum at his command, and valuing his rank and promotion more than his money, and being afraid, moreover, of the new system of selection, preferred giving an extra sum to obtain the promotion which he was afraid he should not get under the Bill. It was not the general opinion amongst officers that this Bill would enhance the value of their property, but, if anything, the contrary, from the uncertainty that prevailed as to their regimental promotion in the future. They were a class who, unlike the brewing and railway interest, had no great Parliamentary influence, and they were thereby somewhat at a disadvantage in having their claims advocated in that House. The rules of the service prohibited their meeting together to petition the House. Their duties scattered them all over the world, and although they numbered between 6,000 and 7,000, there was not a class in the country that possessed less political influence than the officers of the Army. In a question like this of vested interests—of money laid out legally or illegally, the House was bound in honour to treat the parties tenderly, liberally, and even generously, when the conduct of each successive Government towards the officers of the Army upon this subject was considered, which would not be done under the provisions of the Bill. It was, however, a mistake to suppose that the only objection which the officers had to the Government measure was one of money. A distinguished officer had stated in a letter which he had received, that the officers of the Army complained that the Bill would deprive them of the right to rise to the highest grades in the service by purchase. That was the statement of a poor officer, and no doubt the sentiment was shared by the majority of the officers of the Army. He was much grieved when he read the speech delivered by the First Lord of the Admiralty at the Mansion House dinner on Easter Monday, wherein he stated that the policy of the Government "had been to buy back our Army, which at this moment belonged to the officers and not to the nation." The right hon. Gentleman had not apprehended the real state of the case. The Army had not belonged to the officers in the sense it might be understood to mean in that expression. The officers, whenever they had been called upon, had always done their duty, and if not, they were liable at any moment to forfeit their commissions, so that, instead of the Army being their property, they had really invested their own money as a security that they would at any moment be ready to do their duty, and to forfeit their money if they did not. And, therefore, looking at it from that point of view, it was not correct or accurate to say that the nation had to buy back its Army. He was quite aware that there had been a very prevalent idea that the Army was the relieving house for the aristocracy, and that to abolish purchase would be to aim a great blow at the Conservative party, but he was at a loss to conceive from whence such a delusion sprang. The abolition or retention of purchase was no object in a party point of view to the Conservative party, because he did not think the officers of the Army, as a rule, influenced by a single vote the elections in the country. He could say for himself and those around him that they had no party views in the matter. All that they had striven to do was to consider a national question from a national point of view, and the secret of their opposition to the measure was their objection to see a fine profession sacrificed to cover the shortcomings of Army organization by a Ministry who, for a little short-lived popularity, were ready to cast an enormous burden on the national taxpayer without any adequate return.

Mr. M. CHAMBERS admitted that this was a question of the greatest possible difficulty, and what they had to consider was, whether if they went into Committee they could effectually solve it. There were four clauses to be considered before going into Committee. These clauses dealt with the abolition of the purchase system, and the question was this — was it desirable to abolish purchase? Let it be shown what injuries the Army had sustained in consequence of purchase, whether the advantages did not counterbalance any evils, and then what substitute was to be brought forward after it had been abolished. The most important consideration was how much the abolition of purchase would cost? Nobody had any idea of the expense that would be incurred if the Bill became law, and they were answerable to their constituencies for the expenditure that might be required in making a very doubtful experiment. It had, indeed, been said, with inconsiderate approval, that purchase was doomed; but the moment the expensiveness of the operation was made known opinion changed, and at that moment outside the House this was the question which was most seriously discussed. There should be ample explanation before they went into an expenditure about which they knew nothing.

Sir JOHN PAKINGTON: Sir, when the hon. and learned Gentleman who has just addressed the House rose I expected that we should have had the variety of a speech in favour of the Bill. But the hon. and learned Gentleman has not relieved the monotony of this debate. We have lately been accustomed to one-sided debates. We had some very one-sided debates for four or five nights on the Bill now before the House, and if the Government had not abandoned certain other measures I think we should have had very one-sided debates on them. The debate—though I can scarcely call it a debate, for with one exception every speech has been on the same side—the discussion, I should rather say, that we have had to-night fully justifies the course adopted by my Friends on this side of the House and myself on Monday night, in demanding from Her Majesty's Government, as a point of fairness, that we should be allowed to have some further discussion on the merits of this most important and most difficult Bill. Sir, it is very true that the right hon. Gentleman at the head of the Government told us we had a debate of four or five nights on the second reading. But in a debate on the second reading no Member had the power of addressing this House more than once. But we have had great experience — information we have not had — since that debate took place, and during the progress of that debate questions arose which the Government have failed to answer. We have had opportunities of learning what would be the effect of this Bill upon the country, and what was the real view of the country and of the House upon the subject. The right hon. Gentleman at the head of the Government must acknowledge that the discussion we have heard to-night justifies the demand we made. [Mr. Gladstone dissented.] And I venture to express one further opinion —that the discussion we have had to-night does not justify the attempt which has been made by Her Majesty's Government to crush discussion by silence on their part. We knew we could not expect to have speeches from the other side in support of a Bill of which the independent Members did not very much approve. But we had a right to expect that Her Majesty's Government would vindicate their own measure, and reply to the powerful speech with which the discussion was opened by my noble Friend (Lord Elcho), in regard to whose speech I have only one objection to make —that he assumed much more than I am willing to agree to, that the principle of the abolition of purchase had been sanctioned by the House of Commons. He and my noble Friend the Member for Berwick (Viscount Bury) most justly reproached the Government for their reticence with regard to their system of retirement and a great variety of matters which, before this Bill can be agreed to, must be explained to the House. But there is another view of this question to which I now desire to address myself. I want to put this plain question to Her Majesty's Government. Can they show to this House any advantages to be derived from the abolition of purchase worth the amount of money which the country has been called upon to pay for it? I wish to call the attention of the independent Members on both sides of the House—I wish to call the attention of the public to the financial bearings of this most important subject; and I challenge the Government to show that this measure can be productive of any effect with regard to the improvement of our Army, or the welfare of the country, to justify the Government in calling on the taxpayers of England to furnish millions of money to do away with this system. I am not prepared to deny the anomaly of the purchase system, and I admit the force of theoretical objections to which it is open. But is what you are going to do worth the money? And when you pass, assuming that you should do so, this Bill, will the country feel that they have had value received? I believe they will not. I have anxiously considered the arguments which have been used, and I believe I do not exaggerate when I say those who have spoken in favour of the abolition of purchase have brought forward arguments totally inadequate. They have been obliged to retire upon vague declamation. I heard the speech of the hon. Member for the Border Burghs (Mr. Trevelyan), and have studied it since it was delivered; because if reasons in favour of this Bill are to be expected from any quarter, they might have been expected from that hon. Gentleman; for, judging from our recent debates, it is not going too far to say that the Bill has been brought forward chiefly to please two generations of the Trevelyan family. The hon. Member who spoke in favour of this Bill said it would have one great advantage in that it would introduce into the Army open competition. But open competition exists in the Army already. We have it at Sandhurst, where men must compete to show they are worthy of holding commissions, though looking at the importance of the subject, I say that those who advocate the abolition of purchase are bound to give us a better reason than that. My right hon. and gallant Friend the Surveyor General of the Ordnance did endeavour to give us some reasons; but he evaporated in smoke, and fell back on vague declamation. The right hon. Gentleman at the head of the Government said he regarded the officers of the Army as the brains of the Army, and would be glad to take any course that would make them more efficient. But I challenge him to substantiate his language on a recent evening. I also wish to know upon what grounds the Government calculate that £600,000 will be the sum required for this year. That is a question affecting the Budget; but since that sum was announced the Secretary of State for War has withdrawn the limitation as to the number of officers who will be allowed to sell out at once. Upon this point, therefore, a clear explanation from the Government is what we have the right to expect. [Mr. GLADSTONE: Hear, hear!] We have the authority even of the Secretary of State himself that there are strong arguments in favour of purchase, and on a former night the right hon. Member for Morpeth (Sir George Grey) told us that if any one class more than another had benefited by the purchase system, it was the non-purchase officers. That point was particularly referred to by the hon. and gallant Member for Bewdley (Colonel Anson); but we have not yet heard any reference to the manner in which the abolition of purchase will affect officers who have been promoted from the ranks. Supporters of the abolition of purchase are very prone to advocate an extension of the system by allowing men who rise from the ranks to hold commissions. But how can they rise from the ranks? They have a difficult struggle to maintain. But they always had before them the prospect, when the time came for them to leave the Army, that they would receive £100 for every year of their foreign service, £50 for every year of home service, and, if they had served 20 years, the regulation value of their commissions. The hon. Member (Mr. Trevelyan) said, the other night, that he did not advocate very extensive promotions from the ranks, and I agree with him; but I should be sorry to see it altogether abandoned, and I believe that if you deprive non-commissioned officers of the retiring pensions to which they are now entitled, the probability is that you would give great discouragement to promotion from the ranks. If the purchase system could be abolished to-morrow without the cost of a single farthing to the taxpayers of the country—if it could be got rid of by the mere signature of the Secretary for War, those who are best able to form a sound judgment on the matter would consider that, balancing the theoretical objections of the system against its practical advantages, the wisest thing you could do would be to retain it. Holding that opinion myself, I have a right to ask the Government what they have not yet told the House —namely, what are the advantages and the benefits to the country and to the Army which they expect will be derived from the expenditure of the enormous sum of money which their scheme will entail? I have also a right to ask the Government the question that has been so ably put by my noble Friend the Member for Haddingtonshire (Lord Elcho)—what do they propose to substitute for the purchase system? I have a right to complain of the reticence of the Government on this subject. In answer to the hon. and gallant Member for Bewdley (Colonel Anson), the right hon. Gentleman the Secretary of State for War, in a moment of confidence the other night, said that he had nothing to tell, and to-night, in answer to the noble Lord the Member for Haddingtonshire, the right hon. and gallant Member opposite (Sir Henry Storks), in his brief speech, has told us that what the Government do know on the subject they do not mean to tell. But, at all events, whether from unwillingness or inability, the Government has told the House nothing on the subject. We have also a right to know what is to be the cost of this system of retirement. The Government has not condescended to let us know what even the approximate cost of this system will be, and, under these circumstances, how can the Government complain that hon. Members have set to work to make calculations for themselves on the subject? Has any answer been given to the published letter of the hon. and gallant Gentleman near me (General Herbert) in reference to this question? The right hon. Gentleman smiles, and, perhaps, he has a very good answer to that letter; but in that case the right hon. Gentleman is himself to blame for not giving us the information on the subject that he has it in his power to furnish us with. All sorts of estimates have been made of the cost of this system of retirement, from £500,000 to £1,000,000 per annum, the latter being the estimate of the hon. and gallant Member for Truro (Captain Vivian) when he was out of office, although doubtless he has changed his opinion since he has been in office.

Captain VIVIAN said, he was sorry to interrupt the right hon. Gentleman; but he had asked once or twice that when his figures were quoted the circumstances of the case at the time the figures were given should be taken into consideration. When he made that estimate, he was speaking on the Motion of the hon. Member for the Border Burghs (Mr. Trevelyan), who proposed to abolish the purchase system, without adopting either the system of selection or the employment of officers in the Reserved forces, which were very material elements in the Government scheme.

Sir JOHN PAKINGTON: I am sure that I had no wish to misrepresent the hon. and gallant Gentleman. All I can say is, that if the hon. and gallant Gentleman did not make the calculation himself, somebody else did it for him; but I may add that many persons now put the estimate much higher. We want to know the truth. We want to have some answer to the suspicion very generally entertained that the Government will not tell us what they really mean, because they think they can stave the matter off for several years, and that in the meanwhile they can go on trading on the retirement sales and the commissions which may fall in. I trust that the right hon. Gentleman will disclaim any intention of that kind. We must have some information on the subject of the cost of this system of retirement. Either the Army will be officered by old men, or else a considerable expense must be incurred in getting rid of them, so as to enable the younger officers to be promoted. The British Army is already highly costly, and why should you add to that cost by an expenditure from which you are now wholly free? Then, again, we have a right to complain of the right hon. Gentleman for not telling us what is to be the system of promotion in the Army. It has been said that seniority, tempered by selection, is to succeed the system of seniority modified by purchase; but that will lead you into difficulties of the most delicate character, if not impossible of solution. It would never answer to adopt a pure system of selection in time of peace. Let me remind the House that Earl Grey, who is in a position to take a singularly dispassionate view of these questions, when before the Royal Commission of 1867, gave it as his decided opinion, that in times of peace the system of promotion by selection was practically impossible; because he did not believe that any Commander-in-Chief or any Government would be able to endure the charges of favouritism that were certain to be brought against them, and that, therefore, the system of promotion by seniority would have to be followed blindly. I think the Government and the House will do well to reflect on the weight which attaches to those words before they adopt any such system as this. When I formerly addressed the House on this subject I referred to the Report of the Commissioners, who expressed much the same views as Lord Grey, and who say that if you do away with purchase, and adopt a system of selection, the result will be a system of seniority, which will be inconsistent with the welfare of the British Army. What I have now been stating has been found by experience to be the views of military authorities in Prussia. We are all fond of referring to the Prussian models; but those models will not do for this country. The Prussians have no colonial Empire and no India. Their Army serves simply at home, and a system which is good for them will not do for us. It is a remarkable fact, worthy of the consideration of the Government, that at this very time the Prussian officers, and the best officers of the French Army, are regretting that they cannot in those countries adopt the system of purchase, which we are so rashly endeavouring to get rid of. These are matters which are well worth the consideration of the Government, and I ask them to give up this scheme, which is not worthy of them, and which is not right, either as regards the House of Commons or as regards the country. We talk of amalgamating the Militia and the Army; but how are we to do it? I maintain that before we allow this Bill to become law, it is only our duty as representatives of the taxpayers of the country to demand that to which we have an absolute right—better information. In the absence of such information I cannot refrain from repeating a former expression of mine, that I can only look upon this Bill as a "sop to democracy." Hon. Gentlemen seemed to think that that expression was unjust; but I cannot recede from it; on the contrary, I am bound to say that of all the sops to democracy that have ever discredited a Government acting in the vain hope of satisfying the appetite of that insatiable monster, in my opinion, this intention to draw from the pockets of the people millions of money for a change—the best that can be said of which is that it is of a doubtful character—is the most extravagant.

Mr. CARDWELL: Whatever sops to democracy Her Majesty's Government may be charged with offering, they at least will not offer this one—they will not come forward in reality as the advocates of a rotten and condemned system, endeavouring to bolster up abuses which are almost universally condemned, doing it by modes and practices unaccustomed in the House of Commons, and then by way of a sop to democracy pretend that they do it solely to save the public purse. I know not whether it be a sop to democracy to say this; but I do say that our countrymen of every class are a vast deal too intelligent and acute not to perceive the real meaning of these expressions, and not to know perfectly well, when they consider the quarter from which they come, what is the spirit which actuates them, and what is the motive by which they are governed. It is, indeed, cheering to hear the doctrines of economy from the benches opposite; but it would be a little more satisfactory if we found them directed to some better object, and not connected with the maintenance of an institution which the right hon. Gentleman himself has told us he considers antagonistic to democracy, and, therefore, I suppose conducive to the influence of some other political section. The right hon. Gentleman began his speech by congratulating himself that there had been no variety in the debates—that all the speeches had been on one side. Then he found fault with us on the Treasury Bench, because we had taken so small a part in this discussion. But we are talking of military matters, and may be presumed to know something about tactics; and if it suits the tactics of our opponents to debate the thing after it has already been debated to the full, and to renew discussions after everybody supposed they had been terminated, they must at least be satisfied that we on this side of the House shall not play their game by prolonging these unnecessary discussions. The right hon. Gentleman then went on to give us the reason which entirely justified what was done on Monday night, because on the second reading of the Bill one could only speak once. That is a great discovery for the House of Commons. Hitherto I know it has been usual that on the second reading of a Bill you could only speak once; but now we seem to have adopted new modes of fighting. On the second reading of the Bill a Resolution is moved which is levelled at only one portion of the measure. That is disposed of, and when the Question is that you, Sir, shall leave the Chair, another Motion is levelled at another portion of the Bill. Then, having exhausted all their strength in debating those points, they say as a charge against the promoters of the measure, that the Bill has never been discussed at all, and that they must take a new and entirely unaccustomed mode of debating it. This appears to me a very small justification for the admitted novelty of the proceeding. Then the right hon. Gentleman went on with an air of triumph to say that he challenged the Government—and when he does issue a challenge there is something very formidable about it — to say what the people of England are to get for the money they will pay. Well, Sir, I will try to answer the challenge. The right hon. Gentleman says he has listened to former debates, and has found that all the reason was on one side, and all the declamation on the other, and that the only reason he has extracted from what we have been able to offer has been that this measure was promoted for the purpose of pleasing two gentlemen of one particular family. Now, I ask, is that reason or is it declamation? Somebody within my hearing suggested that it might be wit; but I confess I cannot satisfy myself with that explanation. The question then is, what authority have we for saying that the country will get its money's worth if it consents to this sacrifice? On a recent occasion a Motion was made declaring

> "That, in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army."

What was the result of the debate on that Motion? All the reason, it appears, was in its favour; all the declamation is said to have been against it; and yet, at last, the Leader of the Opposition rose and terminated the debate in these words—

> "The *animus* of the measure is surely good, and the proposal of the Government is the first attempt to weld the three great arms of the country—the Regulars, the Militia, and the Volunteers—into one force. Though many of us may think that the machinery proposed is not sufficient for its purposes, these are not, in my opinion, reasons sufficient to justify us in opposing in any way the second reading. The Committee, then, is clearly the place for the consideration of the Amendment of my hon. and gallant Friend, and where I am in hopes we may come to some arrangement that may meet the views of my hon. and gallant Friend, as well as the full concurrence of the Government."

I hold that to have been not declamation, but very good advice, by which I wish the right hon. Gentleman had profited; and I am sure when the House read the Bill a second time, after that Motion and advice, the House gave us as high authority as we could require, in saying that the public could get its money's worth if it consented to the passing of this measure. I will go on with the subject of reticence, and will answer the well-reasoned and most reasonable request of my hon. and gallant Friend the Member for North Lancashire (Mr. F. Stanley) as well as I can. We have no desire for reticence. On the contrary, we feel that the more we can tell the House of Commons and the country what we are proposing the better for our case. All we desire is reticence where we could not speak without making statements for which we have no sufficient warrant; but what we know we are ready to tell you. The first question on which we are challenged is this. It is said—"Why don't you state what is the retirement you propose?" I have told you more than once why I did not state it, and will tell you again. We have actuaries who can calculate accurately anything submitted to them. What we want is, not the power of actuarial calculations, but the data on which they are to be founded. If anyone will tell me to what extent the disposition of officers to retire will be diminished by the abolition of purchase, and to what extent by employing officers of the Regular Army in the Reserve force promotion will follow, I will place a careful actuarial calculation on the Table in a very short time. For my part, I believe I stated there would be a tendency to a less rapid flow of young officers to the Army after the abolition of purchase. I hope so [An hon. MEMBER: Why?]; because I am convinced, in the days in which we live, we must have men to lead the British Army who entered the Army to make it a profession. The time has gone by to have gentlemen who make it an amusement instead of a profession. We live in times when heroism will not do—when natural ability will not do—when all the virtues which adorn the British officer will not do, if not coupled with the most careful professional training and the most unremitting attention to his duties. I hope and believe it will be found that the employment of a number of officers of the Regular Army in the Reserve forces will give a great stimulus to promotion and act in lieu of retirement, and taking the two facts together there will not be a greatly increased retirement. I sincerely believe that all this talk about retirement is a bugbear to deter the Government from going on with the Bill—that it is not a real alarm which ought to operate on the minds of a reflecting public. But some hon. Gentlemen are not so careful as I am, for there are Gentlemen who can give their estimate, and when they do so nothing is easier than for me to submit their calculations to actuaries. I have before me one calculation of this kind, and shall be happy to show to the right hon. and gallant Member for Shropshire (Sir Percy Herbert) the actuarial calculation on his proposition, so that he may have the opportunity of discussing it. He has made a calculation by which he makes retiring and widows' pensions, comparing it with the Navy, amount to an addition of £1,977,000—or we may say £2,000,000—to the present charge. I have had this calculated, and find, in the first place, that he includes as non-effectives 581 officers who are not on the passive but on the active list of the Navy. If you transfer them to the other side, the result will be that, while increasing the active list of the Navy from 1,239 to 1,820, you reduce its non-effective from 2,060 to 1,479. This would reduce the Army non-effective list—supposing it to be in the Navy proportion — from his 9,300 to 4,270. Then, with regard to widows, it is said there will be a great increase. He has considered 1,385 naval widows to be represented by 1,239 active officers. But they represent both active and retired officers to the number of 3,299. On this principle the Army widows would be reduced from the supposed 7,000 to 4,290.

Major General Sir PERCY HERBERT: I took the widows' pensions of the rank of admirals, post captains, commanders, and lieutenants, and therefore it cannot represent 3,300 officers.

Mr. CARDWELL: The widows are the widows of both lists. I have the calculation before me, and I am told the result is that the £1,977,000 would be reduced to £727,000 upon the whole Army; and, after making the necessary allowance for the portion chargeable to India, what remains—and the calculation is made upon his own hypothesis, and not any hypothesis of mine—chargeable to our Estimates would be £456,670. I shall be very happy to show the calculation to the right hon. and gallant Member. But I have another illustration of the danger of being precipitate in making these statements, because I have been severely challenged to-night for putting a restrictive clause in the Bill that would limit the number of officers selling in a particular year. In opening the Bill I stated that unless that restrictive clause was inserted, we might find all the officers retiring at once and carrying with them a large portion of the Consolidated Fund. Then it is said I withdrew the clause before we went into Committee. Now, when I spoke in the first instance I could have no knowledge of what effect would be produced in the Army by the announcement I made, and perhaps I was too cautious; but I did think it was wise to have a limit inserted in the Bill; but after seeing the effect of my announcement on the Army, I thought as the result of putting a limitation in the Bill there might be at some particular moment a rush of officers anxious to sell for fear they might be excluded, and with the evidence before me that the price of commissions was rising instead of falling by the operation of the Bill, I thought myself quite justified in getting rid of the clause in the hope that it might diminish the objections to the Bill. It seems, however, that I have made a mistake, for now the opponents of the Bill object to the absence of the clause. The right hon. and gallant Member says—"Why don't you adopt for the Army what has been adopted with respect to the Navy." Now, my Colleague at the head of the Navy had before him the wants and necessities of the Navy, and knowing the extent of the mischief knew the remedy to be applied. But the case of the Army was different. If we had the data on which to found actuarial calculations, we should be able to propose a scheme of retirement, and perhaps the result would dispel the alarm which exists, and show the proposition of the Government to be economical. I really do not think that I need trouble the House much more. My hon. and gallant Friend the Member for North Lancashire (Mr. F. Stanley) asked me for some information as to the nature of the amalgamation proposed to be made between the Regular Army and the Reserve forces. He asked what were to be the *corps d'armée* which were to be created in the different parts of the country, and if it was true that discontent had been caused by a circular issued to the half-pay officers, calling upon them to serve, and by threatening the permanent Staff of the Militia with the discharge of new and unmentioned duties. We do not propose to have local *corps d'armée* in this country upon the Prussian principle, for this reason — that our Army is one-half at home and one-half in the Colonies and India. You cannot allocate your Army so as to keep it stationary in certain districts, the Regulars must be moving by the very nature of their service; and as it is essential to our plan to unite in brigades for training the Regulars and Reserves, you must brigade the Reserves of a district with the Regulars who happen to be there at the time. You cannot constitute a separate *corps d'armée* for the particular districts of the country. Neither is it desirable, for with our very great means of railway communication, there is no prospect of there being any part of the country that you could not in any moment of emergency move your forces to in an incredibly short space of time. With regard to the circular to the half-pay officers and permanent Staff, it is the first time I have heard that any discontent has been occasioned. In the autumn of last year, when the alarm set in lest we should be involved in the Continental war, we thought it reasonable to ascertain the number of half-pay officers available, in case their services were required. Then, with regard to the permanent Staff, we have the very high authority of Lord Grey, who, I think, stated in one of the examinations to which he was subjected by a Royal Commission, that of all instances of waste of public money in this country, the permanent Staff of the Reserve forces exhibited the greatest absence of economy. I believe that to be perfectly true, and it is our hope that we shall in the new arrangement effect a considerable economy by imposing other duties on the permanent Staff of the Reserve forces.

Mr. F. STANLEY said, he wished to explain that what he objected to was as to the uncertainty of getting men to enlist in the Militia Staff, owing to the uncertainty of future employment.

Mr. CARDWELL: I am sorry there should be any uncertainty; but that is due to the delay which we encounter, and when we make progress we shall be able to put an end to the uncertainty. We ourselves are in uncertainty. I have been asked what the Government mean by Army organization, and I can only reply by saying that I have already stated the outline of the plan. Among other things, it is intended to have training centres, and to train the Militia conjointly with the Regular Army. The noble Lord the Member for Berwick (Viscount Bury) made a speech about recruits; but if he had had the Report of the Inspector General of Recruiting before him he would not have fallen into the errors which characterized his speech. We have made the arrangements we have about recruits, because in a voluntary system you must take recruits when you can get them, and when the recruiting for the Militia and the Regulars is placed in the same hands you will have facilities for selecting your recruits, which will tend to throw older men into the Army and younger men into the Militia. And when in the operation of this Bill you come to re-organize your battalions, you will have power to send to India older and more seasoned recruits, and to make reforms and changes which we very much desire. If our principal difficulty in the Army — namely, that the men will not go into the Reserve; and if our principal difficulty in the Militia —namely, that we cannot get subaltern officers; and if our principal difficulty in the Volunteers—namely, that the officers will not make themselves military efficients, are all overcome, I think you should not charge us with not being successful. I hope after this long discussion we shall be permitted to go into Committee on this Bill. I, for my own part, will not be ashamed to receive any suggestions made, and will co-operate with all to make the measure satisfactory and useful.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Monday* next.

PARLIAMENT—BUSINESS OF THE HOUSE.

Moved, "That, whenever the House shall meet at Two of the clock, the sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869."—(*Mr. Gladstone.*)

Mr. CAVENDISH BENTINCK complained of this arrangement, as it would probably have the effect of preventing the hon. Member for Penryhn (Mr. R. N. Fowler) and the right hon. Member for Tamworth (Sir Robert Peel) bringing on their Motions, which were of a very important character. He asked whether it was intended to continue Morning Sittings on Tuesdays and Fridays.

MR. GLADSTONE said, the effect of the Motion was simply to determine when Morning Sittings should take place; but their continuance would be within the control of the House, with a view to the progress of Public Business. The intention of the Government was to take the Westmeath Bill on Friday; but he had no means of judging whether the next stage of that Bill would be finished that day, but he hoped so. It might be necessary to have Morning Sittings for other Bills.

MR. R. N. FOWLER said, he hoped Government would take precaution on those days to prevent counts-out.

COLONEL WILSON-PATTEN said, the Committee on Public Business had agreed to a Resolution on the subject. He wished to know when the Government intended to take the Report into consideration?

MR. GLADSTONE: After the Westmeath Bill shall have been disposed of.

Motion *agreed to.*

RAILWAY LEGISLATION BILL.

On Motion of Mr. WHALLEY, Bill for diminishing the expense attending the passing of Bills relating to Railways, and affording facilities for obtaining ample and trustworthy information thereon, *ordered* to be brought in by Mr. WHALLEY and Mr. M'MAHON.

Bill *presented,* and read the first time. [Bill 138.]

DOGS (NO. 2) BILL.

On Motion of Mr. Serjeant SIMON, Bill to amend the Law relating to Actions at Law for injuries done by Dogs, *ordered* to be brought in by Mr. Serjeant SIMON, Sir COLMAN O'LOGHLEN, and Mr. CRAUFURD.

Bill *presented,* and read the first time. [Bill 137.]

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Friday, 12*th May,* 1871.

MINUTES.]—SELECT COMMITTEE—Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, The Lord Aveland *added.*

PUBLIC BILLS—*First Reading*—Trust Funds (Investments)* (110).

Committee—Report—Metropolitan Poor Act (1867) Amendment* (97).

Report—County Justices Qualification Amendment* (108).

Third Reading—Promissory Oaths* (100); University Tests (107-109); Workshop Regulation Act, 1867, Amendment* (63); Presbyterian Church (Ireland)* (87); Primitive Wesleyan Methodist Society of Ireland Regulation* (88), and *passed.*

NEW PEER.

Lieutenant General the Right Honourable Sir William Rose Mansfield, G.C.B., G.C.S.I., General commanding Her Majesty's Forces in Ireland, having been created Baron Sandhurst of Sandhurst in the county of Berks—Was (in the usual manner) introduced.

UNITED STATES—THE JOINT HIGH COMMISSION—THE "ALABAMA" CLAIMS.

QUESTION.

LORD REDESDALE asked the Secretary of State for Foreign Affairs, If the question whether the United States can, according to the principles of International Law, persevere in what are known as the *Alabama* Claims, since the reconciliation of the Southern with the Northern States, has been brought before the Joint Commission, or will be before those who are finally to determine those Claims? His intention in putting this Question was to raise an important point of International Law, and which it was desirable should receive full consideration—which he believed had not yet been the case—before this matter was settled. The Southern States built and fitted out the *Alabama.* They ordered and paid for the ship—their agents took her out of the Mersey and equipped her in a foreign port, and the injury to the trade of the North was committed by their officers and the crews under their command. The Southern States having thus committed an injury to the trade of the Northern States, a claim was made upon us by the United States Government for compensation. But the Southern States are now included in the United States, represented by General Grant's Government; and thus we have the anomalous state of things that Virginia and the other Southern States are asking us to give them an indemnity for the injury committed by themselves. Now this seemed so unjust that he thought it right that the question should be brought before the Joint Commission, or those appointed to arbitrate, to be determined according to sound principles of International Law. He contended that the Government of the United States were barred by the course they had taken towards the Southern States from prosecuting the claim. Had the contest terminated differently, and had the South achieved its independence, and had the claim of the North against this country been substantiated, we should certainly have asked the South to reimburse us for the damages awarded, the injury having been committed by and for the advantage of the South. When the Southern States became reconciled to the North, there was full power to make it a condition that the South should have some separate imposition placed upon them to make good the damage done. Nothing of the sort was in fact done, and the North forgave the South the damage which had been done by this vessel; and, when the principal had been forgiven, the agent had surely been forgiven also. If a man received a sound thrashing he could not forgive his assailant, and proceed against the man who lent that assailant the stick. He did not think any such action would lie. This case was necessarily of very rare occurrence; indeed, he was not aware of any other that stood upon precisely the same footing. It was therefore of great importance that it should receive a careful consideration and decision, and not be left without inquiry, to become a precedent affecting the Law of Nations. The Southern States were treated not as rebels, but as belligerents by the North, and so far as warlike operations were concerned they were clearly an independent country. They had, therefore, all the responsibilities of that position. If A ordered B to do something whereby he was benefited, but which exposed B to a severe penalty, it would be thought very unhandsome for A to file an information against his own agent in order to obtain the penalty he had incurred by serving him; and the case was little altered if A, while not bringing the action himself, allowed his brother or partner to do so. Now, the Law of Nations ought to agree with the law as between man and man, and he could not see how a claim could fairly be preferred under such peculiar circumstances as existed in this case.

THE EARL OF LAUDERDALE said, he believed that the United States had not a shadow of just claim against us. If during the Crimean War the Americans had sold *Alabamas* to Russia, it would not have entered the head of any British statesman to demand damages; and even if it had, our friends over the water would only have laughed at us. It might not be generally known that during the Crimean War the Americans allowed a ship to be fitted out in one of their ports with guns and warlike stores, which vessel rounded Cape Horn, reached Valparaiso, and by a little trickery escaped the examination of an English vessel of war lying there, so that it proceeded to San Francisco, where a Russian agent went on board, and was taken to a Russian port, and when we attacked the place he believed she took part in the defence as a Russian man-of-war. The vessel was taken out by an American officer of the Navy, who afterwards went overland to St. Petersburgh and was presented to the Emperor, who gave him the usual snuff box studded with diamonds. He believed these statements to be perfectly accurate. He hoped we should hold our own in this matter, but he feared that before long we should be saddled with a considerable bill.

EARL GRANVILLE thought that, as the question was likely to be referred to arbitrators, the noble and gallant Earl would understand that it would not become him to enter into any argument in favour of the American claims and against the noble Earl's views of the British position, at this stage of the proceedings. The same feeling would influence his reply to the noble Lord (Lord Redesdale), who had raised a point which had not, that he was aware, been previously raised. It certainly had not suggested itself to the legal advisers of the successive Governments which had had to deal with the question, and it had not formed a portion of the instructions given to our Commissioners. Whether it was a good or a bad one he would not say; and would not have been a matter to be determined by the Joint High Commission, whose office it was to settle not the questions in dispute, but the mode in which they should be adjusted. Without giving any opinion on the matter, he would only add that when the case of this country came to be prepared, it would be the duty of the Government to consider every possible point which could honourably and fairly be urged against the claims of the United States. The noble

Lord (Lord Redesdale) had implied that this country had recognized the Southern States as an independent country. Now, as a matter of fact that was not so—the only recognition they received from us, and the recognition of which the North complained, was that of belligerents. At that early stage of the contest, as far as the Government of that day was concerned, the question of recognizing their independence was never even entertained.

THE EARL OF DERBY inquired when the House would be put in possession of the treaty—which he understood had been concluded by the Commissioners? It was not desirable that the public should form their judgment of the treaty from the fragmentary statements which appeared from day to day in the newspapers?

EARL GRANVILLE said, he entirely agreed with the noble Earl, and deprecated any discussion of such a grave and important subject before Parliament was in possession of the whole case. The amount of telegraphic communication between the Government and the Commissioners had been immense, but it clearly would not be right to lay those communications alone before Parliament. The whole treaty—part of which, referring to the *Alabama* claims, was given with general accuracy in *The Times* of this morning—left Washington the day before yesterday by the usual means, and would probably arrive at the end of next week. There were some technical difficulties, but the Government were anxious that Parliament should not be without information any longer than was necessary.

LORD REDESDALE explained, with reference to the point he had raised, that, in his view, to recognize parties at war with another State as belligerents was to acknowledge their independence in all matters connected with warlike operations, and vested them with the responsibilities of an independent State.

SMALL-POX (METROPOLIS).—QUESTION.

MOTION FOR RETURNS.

LORD BUCKHURST asked, If it is the intention of Her Majesty's Government to propose any additional precautionary or remedial measures to check the spreading of small-pox in the Metropolis? The Registrar General's Reports showed the great ravages which small-pox had lately committed not only in the Metropolis, but in the large towns. The number of deaths in the metropolis last week was 1,582, or 47 above the average of the corresponding week during the last 10 years; the zymotic class, or cases of an infectious or contagious nature, being 447, of which 288 were cases of small-pox. The number of deaths therefrom during the previous three weeks were 265, 276, and 261, and the mortality from this cause during the present epidemic had been almost three times as great as had been known during the last 30 years. This time last year the cases were only three or nine a-week; whereas in the 12 weeks ending the 29th April there were in London 2,688 fatal cases, of which 1,212 were unvaccinated and 973 vaccinated, while there was no return as to the remainder. Out of 85 children admitted into Hampstead Hospital during a fortnight, only 46 had been vaccinated. It was evident that the Vaccination Act, in spite of the stringent orders of the Poor Law Board, was not properly enforced. Moreover, in St. Pancras, which was seven miles long by one and a-quarter broad, with a population of 200,000, the number of vaccination stations lately appointed was only five—so that some of the parishioners were three miles from the nearest of them, and it was not likely that children would voluntarily be taken such a distance. Persons frequently lived nearer a vaccinator in a neighbouring parish or Union, who, however, was not allowed to undertake their case. These stations had not succeeded in Scotland; but if they were to be used, surely they should be arranged with a view to general convenience rather than with reference to parishes or Unions. Fresh cases were occurring every day, and the metropolitan hospitals were overflowing, and he hoped to hear that additional accommodation was being provided, as also that steps were being taken to enforce vaccination. The noble Lord concluded by moving—

"That there be laid before this House Returns of the number of births and of the number of children vaccinated in the Metropolitan districts during the year ending the 31st December, 1869."—(*The Lord Buckhurst.*)

LORD ORANMORE AND BROWNE testified to the success of the Vaccination Act in Ireland, where small-pox had almost disappeared. The Poor Law medical officer was usually registrar, and being thus acquainted with the births, he was able to summon parents who neglected to vaccinate their children. He knew of one such officer who had been dismissed for failing in this duty. The system of stations had proved very effective in Ireland. If the same powers existed in England, it was only necessary to enforce them to prevent the recurrence of such a disaster.

LORD LYTTELTON, as the author of the first compulsory Act on the subject, trusted that the Government would take steps to secure an improved administration of the law, which was all that was requisite. In some of the smaller European States, where the Executive were naturally more powerful, the vaccination laws had been enforced, and the disease had almost disappeared.

THE EARL OF KIMBERLEY said, he could quite confirm the statement of the noble Lord as to the success of the Vaccination Act in Ireland. The small-pox had almost entirely disappeared. He thought the want of similar success in England must be attributed to some extent to fanatical agitators, who had persuaded a certain number of blind and ignorant persons to resist the operation of the law. He thought in this respect we had reason to be ashamed of ourselves compared with the Irish people. The questions of detail respecting vaccination stations he would bring under the notice of the Vice President of the Council, who would doubtless consider them. It was difficult to meet the convenience of all; but he agreed that the stations should be so arranged as to encourage and facilitate a resort to them. Prior to the present outbreak the Poor Law Board urged on the Guardians a stricter enforcement of the Act, and the appointment of inspectors, who would examine the registrars' returns and ascertain whether the law had been complied with. Where such inspectors had been appointed, a great stimulus had been given to vaccination, at a moderate cost. This was one of the most efficient agencies; for, unless cases were hunted up, prejudice and ignorance would always, he feared, leave a considerable number unvaccinated. The attention of the Government had been drawn to the present serious epidemic; but he was not prepared to say that the present law required alteration. The law, he thought, needed not amendment, but enforcement, and he was informed by the Poor Law Board that the Boards of Guardians were making strenuous exertions in this direction, assisted by the inspectors appointed by the Privy Council to see to the sanitary condition of the metropolis. A Committee of the House of Commons on Vaccination had sat several weeks, and would shortly, as he understood, report. Any suggestions they might offer would have the careful and immediate attention of the Government. A Bill was passing through this House for giving further facilities for the erection of asylums; and, owing to the difficulty of obtaining sites, the Admiralty were willing to lend one or more ships as temporary hospitals, especially for convalescents. These would be placed by the Bill within the category of asylums. A Report of the Poor Law Board already presented had given the Returns moved for by the noble Lord up to the 29th of September, 1869, and a Return extending 12 months later would be presented at once.

THE EARL OF MALMESBURY said, the small-pox epidemic was even more serious than the noble Lord had stated. It was spreading considerably in the provinces; his own county, including Southampton and other places, was now suffering severely. He agreed that the present law was sufficient, if properly enforced; but the authorities bound to enforce it had been exceedingly remiss. The Poor Law Board, moreover, only looked after the poor; whereas the strongest prejudice against vaccination existed not so much among them as among the middle classes. One set of fanatics spread an alarm as to the consequences of vaccination to children; while another set, with feelings like those entertained as to the Contagious Diseases Act, deemed it impious to interfere with the intentions of Providence, and regarded the disease as a just punishment for our sins. Now, people should not be allowed at the expense of the public to entertain such fancies and superstitions, and there should be inspectors to enforce the Act on the upper and middle classes as well as on the poor.

LORD PORTMAN said, the law did extend to all classes. One of the difficulties of enforcing it arose from the defective supply of good vaccine matter. In his own neighbourhood several families about to come to London desired to have their children vaccinated beforehand; but out of ten medical men in the neighbouring districts not one had a sufficient supply of good vaccine matter. They then sent to London for the matter, and obtained sufficient for the vaccination of one child, whose mother refused to allow matter to be taken from its arm. If it was true that the matter could only be properly used when taken from a child vaccinated for the first time, it was evident that a very large supply would be needed, as matter taken from an adult on re-vaccination was known not to be prophylactic. Probably in Ireland a large quantity of the lymph was obtained direct from cattle, or there might be local circumstances which tended to prevent a spread of the disease.

EARL STANHOPE said, the Returns proposed to be given would be most inadequate. They should be made up to a later date.

THE EARL OF KIMBERLEY promised to produce a later Return if possible. The machinery for enforcing the Act, he added, was complete, the registrars being required to send a list of births to the guardians, who were empowered to require vaccination in all cases.

THE EARL OF MALMESBURY admitted this, but remarked that the middle classes were allowed to escape through scruples which were not extended to the poor.

VISCOUNT HALIFAX said, the law subjected the rich to fines as well as the poor.

THE MARQUESS OF SALISBURY asked what was the use of fining the poor. Their children were not thereby vaccinated. In one point our law was behind that of other countries. A policeman should be sent with the doctor to see that the child was vaccinated.

Motion amended, and *agreed to;* Returns ordered. (No. 111.)

UNIVERSITY TESTS BILL—(Nos. 107-109.)

(*The Earl of Kimberley.*)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Kimberley.*)

LORD LYTTELTON said, that the recent division had partaken very much of a party character, there being only one noble Lord on the Ministerial side besides himself who voted for the noble Marquess's Amendment, and only two on the Opposition side—though one, he admitted, of the greatest distinction—who voted against it. A great change had evidently come over the mind of a great part of the public on this and similar questions. Some years ago it would have been thought strange that a proposition prohibiting open attack on the Bible being made by college tutors—and that was the meaning of it—should be ridiculed as it now was. He admitted that there was something to be said on the Government side of the question. A few scrupulous and sensitive men would probably refuse to take the test, and their services in teaching would thus be lost; but this inconvenience would be more than counterbalanced by its advantages. The test, indeed, had been objected to as inadequate; but this was the old fallacy that because you could not do everything you should do nothing, and he deemed it a safeguard of some importance. Again, it was declared to be absurd to require a religious test of men who taught mathematics or science: but it was not imposed on them as teachers of any given thing, but because of their intimate personal intercourse with and influence over these young men. He did not say that the test would have any great effect; but he voted for the Amendment on the ground that he believed public opinion was in favour of it, and in particular that most parents wished it. The Bible was the religion, and the only religion, of these persons; and he thought their feelings should be consulted. Philosophers, sophists, declaimers, agitators, and magazine writers had their views considered; but the opinions of parents were the object of little attention, yet surely their wishes should be studied.

THE DUKE OF ARGYLL said, the remarks of his noble Friend induced him to make a few observations, though he had not expected the subject to be revived on the third reading. He thought that questions of this kind were much influenced by political feeling. He regretted it, but he thought it inevitable, because differences of opinion naturally arose out of divergence of political views.

He believed that many on his side of the House were as anxious to secure *bonâ fide* religious instruction for the young both in schools and in the colleges of this country as noble Lords opposite. He wished, however, to defend himself in a non-party sense for the vote he gave the other night against the noble Marquess's proposition. He rejected the parallel drawn between this Bill and the measure of last year as to primary schools. The course taken by the Government on that question showed their desire of securing religious education for the young by securing it at the expense of the opposition and displeasure of no small or uninfluential portion of their own party. He was himself disposed to support religious instruction in primary schools, because it was well known that a large portion of the children attending them, if they did not get religious instruction there, had very little chance of getting it anywhere else. But that certainly was not the case in regard to the colleges of this country. Another difference was that schools supported by Government aid and schools to be supported by the ratepayers would be denominational schools; whereas the religious education in the Universities was retained by the Bill in the hands of the Church of England — they left in the hands of the Universities the same guardianship over religious instruction, as they desired to see exercised over the schools. It was, therefore, quite consistent in those who supported the course taken last year by the Government in regard to primary schools to oppose the Amendment of the noble Marquess. The noble Marquess had this year given up his plan of separating the orthodox from the unorthodox Dissenters; but he intended to freely admit anyone under his declaration, which was in the nature of a test. The question was whether the declaration that had been suggested by the noble Marquess was desirable in itself, or as a real security for the religious teaching in our colleges. Now, he had not heard one single Member of their Lordships' House argue that this declaration was any real security for the religious spirit or teaching of those who took it. He had no knowledge of, and did not propose to say a word in regard to the amount of alleged infidelity and free-thinking said to exist in the Universities of Oxford and Cambridge. The other night they heard a most alarming account from the Chancellor of the University of Oxford; and on the other hand it had been stated that that account was very greatly exaggerated. He understood the noble Marquess, however, distinctly to state that the course of metaphysical study, instruction, and examination at Oxford was such as almost necessarily to shock the faith and unsettle the opinions of young men; and the opinion of Canon Liddon was quoted as confirming that view. Now, if that was the result of the course of reading and examination prescribed, could the noble Marquess believe for a single moment that this declaration to be taken by the lay Professors would alter that state of things? It was admitted that the existing tests had wholly failed to preserve the religious opinions of young men at Oxford, and the reason given was that these tests were much too minute and elaborate for their purpose; but it was said this declaration was simple and would be more binding in a moral point of view. Now, it was somewhat remarkable that it was not proposed that lay Professors should take this declaration; it was only to be taken by the tutors of colleges. The test, therefore, was not against the University teachers, but against the college tutors —then, he would ask, in what sense would the new test be more binding upon the tutors than the existing test? The declaration was not a promise that the tutors should not attack the authority of Holy Scripture; a man going to lecture on geology or physiology might very well promise that, not intending to enter upon the connection of science with Scripture at all. But the wording of the declaration was this—that he would not teach anything contrary to the teaching and Divine authority of the Holy Scriptures. That was a much more severe test—whether a man was free to teach anything which had hitherto been considered, by the general opinion of the Christian world, different from or contrary to the teaching of Holy Scripture. If it was intended by that declaration to bind the conscience of conscientious men — if a man was to feel bound to think whether what he was teaching was contrary to what had been generally considered the teaching of Holy Scripture — a very onerous obligation would be placed on conscientious men, which might be a serious embarrassment to their teaching, but would have no effect on men of less tender consciences. It was a most difficult and delicate subject how far the authority of Scripture was to be taken as affecting at all the great questions of modern science. On these grounds he confessed he had no difficulty whatever in voting against this particular declaration. His strong impression was that while they left the religious teaching — that was, Divinity teaching — at the Universities in the hands of the Established Church, they should not go further in the way of securing the religious instruction of the young men attending the Universities. Some arguments had been used on that side of the House which he confessed he did not share in. One right rev. Prelate said the other night he had no fear for Christianity — it was absurd; neither had he (the Duke of Argyll) any such fear. Of course, they all had confidence in the ultimate triumph of Christianity; but it was very possible we might have to go through periods of infidelity, and the upsetting of everything that had been considered most sacred—we might have to go through deep waters before we reached the shore. He was also firmly convinced that if such convulsions happened to the country the calamity would be civil and political as well as religious, and therefore he was as anxious as any man to see what security could be obtained for the religious instruction of the young men; but he was satisfied that the forms of modern doubt, the difficulties which young men harboured with respect to religious questions, were such as could not be kept out by safeguards like that proposed. He did trust that so long as the religious teaching of the Universities was left in the hands of the Church of England they would be able to provide Professors and teachers of Divinity, who would continue the great work of Butler, and show by argument, following closely the advance of modern thought, and the investigation of modern times, that the thought too commonly entertained that the discoveries of science had upset the foundations of the Christian faith, and that the truths of natural and revealed religion could not be reconciled, was unfounded. If there were doctors and teachers of Divinity who could meet their adversaries on that ground, the Church of England might succeed in answering their opponents. But it would only embarrass them to impose on them such a vague declaration as that proposed by the noble Marquess. He wished to defend his vote against this declaration. He believed that teaching should be perfectly free from such tests, and no one who had supported that vote had pretended to argue that it would secure its object.

Earl NELSON said, that as one of the two Peers sitting on the Opposition side of the House who voted against the declaration proposed by the noble Marquess, he felt it incumbent on him to state the reasons that induced him to object to it. He would point out that this test was utterly useless, and pledged a man to no distinctive teaching, that part of it forbidding him to teach against the doctrine of the Incarnation having been struck out by the Committee upstairs. He considered that when they were doing away with tests it was very unwise, and against the interests of religion, to establish useless tests in their place. The declaration would, he believed, be a shackle round the necks of those who had to take it, and it should not be forgotten that they were allowing University Professors to teach without a test. What would be the feeling, therefore, of the young men of the University if, when they heard the theories of Darwin expounded by one of their Professors, who was unshackled by any tests, they had to look to the college tutor for the answer? There would be great danger that they would judge of his answer very unfavourably from the very fact that he was shackled by this declaration pledging him to teach nothing during his tenure of office contrary to Holy Scripture; he believed that the declaration would actually prevent young men from going to their tutor for information. The test, so far from doing good, would directly damage the great cause which all of them had at heart.

The Marquess of SALISBURY said, he thought the noble Duke opposite (the Duke of Argyll) had entirely mistaken the nature of the parallel which he had intended to establish between the question of the school boards last year and the question of the present year. He had referred to the question of the school boards, because it appeared to him that the elections which had taken place in pursuance of the Act were indirectly the most remarkable proof that the secular party had no hold whatever on the English people, and that the reverence of the people for the Bible was as fresh as ever; and it appeared to him a legitimate corollary to draw, that the same people who took such effectual measures to secure the Bible as a means of education to the poor would not wish that their highest places of education should be places where the Bible should be systematically attacked. His noble Friend said that the effect of the Act last year was to permit Government to aid denominational schools; but to make the parallel complete he would ask his noble Friend to say what the Act would have done if it had been analogous to the present Bill as framed by Government? It would never have passed. But Government was proposing to take from the Universities the power of requiring such securities as had been given in the case of the smaller schools. He sympathized most heartily with the observations which had been made by a noble Duke as to the absurdity of treating or legislating on this great question with reference to the accidental eccentricities and sensitiveness of a few peculiar minds. He dared say that a test of the kind he had proposed might exclude some people of a very fanciful temperament. There were people who, if any restriction was put in their way by which they could make themselves martyrs, would at once set themselves up as martyrs. There were some extremely delicate and sensitive consciences to whom the words "I will bear true allegiance to our Sovereign Lady Queen Victoria" would be very torture. But people seemed to forget that tests were not confined to Universities. Every noble Lord who entered that House had to take a test, and it was liable to all the objections of the noble and learned Lord who spoke the other night against the vague laws which were a heavy servitude. He felt there was a great deal of truth in what had been said as to the imperfect character of this test; but the test he (the Marquess of Salisbury) proposed last year in Committee had been objected to by some for whom he had the greatest respect, and he did not propose it in the House. The references of the noble Duke opposite (the Duke of Argyll) to the infidelity at the University was not in harmony with the evidence adduced before the Committee, and it was to guard against this that he had desired the promise contained in the declaration to be taken by the college tutors. According to the evidence before them, Butler no longer occupied a prominent place in the University studies at Oxford, and he regretted it as much as the noble Duke could do; but the fact only showed as clearly as any other evidence could do in what direction some of the leading minds in the University had gone. With respect to the Professors, he thought it necessary to say that they were subject to the penal action of the University if they taught heretical doctrines; it was not, therefore, requisite to extract a promise from them not to do that which they would be punished for doing if they did it. If they were to have a system of education such as that existing in Germany, it would be a great question whether securities would be desirable; but tutors had a very great influence over the young men, owing to the character of the education given to them at the University, and it was on that ground that they were selected. The declaration was simply an undertaking that the persons taking it would be honest men according to their Lordships' view of what were the duties of their position. His fear was that if Parliament should in an unlucky moment take an opposite course and banish all mention of religion in the appointment of a tutor, it would be regarded by those who were opposed to religious education as a great triumph, and as a declaration on the part of Parliament that secular and religious education ought to be quite distinct. He believed that this, above all, was a parents' question, and that Parliament in dealing with it ought not to be influenced by the opinions of a noisy knot of philosophers and writers.

THE LORD CHANCELLOR said, he had hoped that it would have been unnecessary to trouble their Lordships with any remarks upon this subject, but the speeches of last evening and this evening rendered it almost impossible for him to remain silent. The noble Earl who had addressed the House that evening (Earl Nelson) had said that the great majority of the parents of England desired that their children should have a Christian education. Now, he (the Lord Chancellor) was one of that majority—no one could desire it more earnestly than he did, and it was precisely because he was of that opinion that he protested against these declarations. It was because he desired to see no impediment thrown in the way of Christian education that he was opposed in every way to exacting a declaration from the tutors of colleges that they would not teach anything contrary to the authority of Scripture. The best that could be said of such declarations as these was that they would probably be futile. They were already far too numerous, and he should like to see them done away with in other departments of life beside the Universities. How preposterous it was, for instance, that a Judge should have to declare that he would faithfully perform the duties of his office! If there was any doubt upon the point he ought not to be selected; if there was no doubt, why should there be a needless declaration imposed? It was the same with the tutors—if they were not to be trusted they ought not to be selected. But what, he would ask, was the use of such a declaration as this? If a man was dishonest, there were ten thousand ways of evading it; if he was honest, the result would be to impose a scruple of conscience upon him, and to fetter his usefulness at every turn. If they were to lay down certain distinct and definite principles, and to say that if these were violated the tutor violating them should be removed, it might be possible to obtain a judicial decision upon the point when required, but the only possible result of this declaration would be to set the University by the ears, and they would probably find one half contending that a tutor had broken his engagement, and the other half maintaining that he had done nothing of the kind. The real danger to young men at the Universities, however, arose not from the tutors, but from the young men with whom they themselves associated—young men, highly honourable, no doubt, but with minds imperfectly formed in many cases, though of great talent and ability; young men with a large passion for reading, and especially for reading everything that was new. With such a declaration as this it would be impossible for the tutors' opinions to have any weight upon points of religious difficulty, because they would at once be met with the answer that they were bound to interpret everything in one particular way. In reference to the subject of primary education the matter was different, because there the State stood to the child in the relation of parent, and if anything irreligious were done it necessarily influenced the education of the child. But with regard to young men they must adopt a different course, and not endeavour in matters of religion to protect them by means of such absurd and flimsy declarations, which, if not futile, would be positively mischievous.

THE EARL OF HARROWBY said, that if the electors were bound to look to the intentions of the man who was to be teacher then *cadit questio*. This would be far better than any declaration.

After a few observations from the Earl of HARROWBY,

THE EARL OF LAUDERDALE said, he could see no harm in a man being called upon to make a simple declaration of this character once in his lifetime—the more particularly as he himself was called upon once every three months to make a declaration that he was not in holy orders.

Motion *agreed to;* Bill read 3^a accordingly, with the Amendments.

An Amendment made.

Bill *passed*, and sent to the Commons; and to be *printed* as amended. (No. 109.)

House adjourned at a quarter past Seven
o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 12*th May*, 1871.

MINUTES.]—WAYS AND MEANS—*considered in Committee* — *Resolution* [May 11] *reported*—Consolidated Fund (£7,000,000).

PUBLIC BILLS — *Ordered* — Consolidated Fund (£7,000,000) *.

Second Reading—Protection of Life and Property in certain Parts of Ireland [129], *debate adjourned;* Customs and Income Tax * [136].

Committee—Report—Police Courts (Metropolis) * [131]; East India Stocks (Dividends) * [134].

Considered as amended—Postage * [124].

The House met at Two of the clock.

ALLEGED DEATH FROM STARVATION.

QUESTION.

Mr. CADOGAN asked the President of the Poor Law Board, Whether his attention has been called to an inquest held at Swindon, on the 11th of April, on the body of a woman named Jane Hale, and to the evidence upon which the jury found that she had died of starvation; and, whether he proposes to institute any inquiry, as the woman appears to have been under treatment by order of the guardians?

Mr. STANSFELD said, he had instituted an inquiry into the cause of the death of the woman Jane Hale, upon whom an inquest had been held at Swindon. He had received the report of the Inspector with regard to the matter; but he had not yet had an opportunity of reading it.

SUNDAY TRADING.—QUESTIONS.

Mr. HARVEY LEWIS asked the Secretary of State for the Home Department, Whether, considering the results caused by the partial application of the Act 29 Charles 2, c. 7, against the humblest class of traders in particular localities, and the bad effect of the contradictory action and decisions of the various London magistrates in dealing with prosecutions at the suit of informers under this Act, he will afford an early opportunity for considering the Bill to repeal the said Act, so as to secure a settlement of the question this Session?

Mr. CHARLEY took the opportunity of inquiring, Whether it is true, as reported, that Mr. Arnold, the police magistrate, has refused to fine a fishmonger for trading on Sunday, on the pretence of waiting to see what Parliament may do in respect to the Bill of the hon. Member for Leicester (Mr. P. A. Taylor); and, whether it was not the duty of the magistrate on that occasion to put the law in force?

Mr. BRUCE, in reply, said, in reference to the last Question, he was not in possession of the facts of the case alluded to. In reply to the Question of the hon. Member for Marylebone, he was as anxious as any hon. Member that the question raised should be discussed as soon as possible. But the hon. Member must be well aware that it was impossible for the Government at that period of the Session to set apart a day for the consideration of that subject. The time at the command of private Members was considerably larger than that at the command of the Government.

COAL FIELDS OF SOUTH WALES.

QUESTION.

Mr. BROGDEN asked the First Commissioner of Works, Whether instructions have been issued for the survey of the coal fields of South Wales on the 6-inch scale; and, if not, when it is proposed to give them?

Mr. AYRTON said, that at present he had not received the information necessary, before the issue of instructions for the survey of the coal fields of South Wales on the 6-inch scale. As soon as the requisite investigations were concluded, instructions for the further prosecution of the survey should be issued.

GUNPOWDER IN PRIVATE STOCK, &c.

QUESTION.

Mr. MONTAGUE GUEST asked the Secretary of State for the Home Department, Whether he does not consider the quantity of gunpowder allowed to be kept by private individuals and gunmakers on their premises, viz. 50 pounds the former and 200 pounds by the latter, excessive; and, whether he will in that case bring forward a measure to restrict the amount now allowed?

Mr. BRUCE replied, that the whole subject was now under the consideration of the Government. There was no doubt that the existing law on the subject required amendment; but that could only be effected by a careful consideration of the various circumstances under which gunpowder and other explosive materials were collected and used. The whole subject would require immediate attention, and the Government were now making inquiries into it.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL.

[Bill 129.] (*Lords.*) second reading.

Order for Second Reading read.

The Marquess of HARTINGTON, in rising to move that the Bill be now read a second time, said, that as it was important the measure should pass through its various stages as quickly as possible, he should endeavour to set a good example by trespassing as little as he could help upon the time of the House; at the same time, he must say that the Government did not, in any way, wish to restrict or curtail hon. Members in their consideration of its details. The very full discussion which had occurred in an earlier period of the Session, before and upon the appointment of the Select Committee, had, he thought, relieved him to a certain extent of the necessity of entering into a detailed statement of the condition of those parts of Ireland which came within the scope of the Bill, as all that he had stated, when the subject was first brought under the attention of the House, had, he believed, been substantiated by the witnesses examined before the Committee; and, in passing, he might observe, that he should be ready, at a subsequent period of the debate, to give any information that might be required. The character of the outrages which had been committed was, as in former times, chiefly agrarian; but he stated—and that statement had been confirmed by the witnesses—that during the last few years the operations of the Ribbon Society and those connected with it had been extended to other subjects to which they did not formerly direct any attention; and he had stated that the Ribbonmen now endeavoured to influence not only the relations existing between landlord and tenant, but also those existing between employer and employed, and, in some cases, even the relations of trade. There was, however, only one point to which he did not advert on a pevious occasion, and which had been brought out very strongly before the Committee, and that was the very remarkable system of outrages committed in the case of the railway running through the district—namely, the Midland Great Western Railway of Ireland. From the evidence of Mr. Cusack, the Chairman of the line, which was such as to take every member of the Committee by surprise, including himself, it seemed that the objects of the conspirators were such as not only to affect the relations between landlords and tenants, but positively to endanger the lives of those who travelled by this railway. The statement, too, which he (the Marquess of Hartington) made with respect to the difficulty of obtaining evidence in the case of these outrages had been more than substantiated by the resident magistrates and the Crown Solicitors for Meath and Westmeath, as had been also his statement with regard to the effect of these murderous outrages upon the public mind of the district in which they occurred. Every witness had borne testimony to the reign of terror established by the Ribbon Confederacy, and every witness had spoken of this society as something which was above and more powerful than the law; and all of them united in deprecating the baneful effects of the conspiracy as it now existed, substantiating his remarks on a former occasion, that the state of the district had become intolerable. In fact, so completely had all his statements been corroborated by the evidence of the witnesses examined before the Committee that, until any of them were called in question, it would be needlessly wasting the time of the House to quote anything from the evidence in their support. There were only two points to which it would be his duty especially to refer, and he should refer to them, because they bore to a certain extent upon measures which had been brought forward by the Government: the first of these subjects was the evidence which went to prove the existence of an organized conspiracy; and, secondly, that part of the evidence which went to prove the limitation of the area in which crime now generally prevailed. With regard to the first, the resident magistrates had borne testimony, without any hesitation, to the existence in all its organization of a Ribbon conspiracy, modified in some respects perhaps, but conducted generally on the same principles as those which prevailed formerly, and the only witness who had expressed any doubt on the point was Dr. Nulty, the Roman Catholic Bishop of Westmeath, but even he, in cross-examination, stated his belief that these outrages were committed by the remains of the organization of what he called the old and defunct Ribbon Societies, and that there existed certain small and secret societies, whose leaders were nevertheless well known to the police and to the public of the district generally.

"I understand you to state that Ribbonism, in your opinion, does not exist as a confederacy at present in the county of Westmeath?—Certainly it does not.—[Q. 2806.]

"In what sense, then, does it exist?—In this sense: that there are certain small cliques of vagabonds here and there through the county, who formerly belonged to the regular Ribbon confederacy, and who may be considered to be, as it were, the disbanded Ribbonmen of former times.—[Q. 2807.]

"And in your view it is incorrect to say that there are five or six persons at the head of the whole thing in Westmeath upon whom the magistracy could lay their hands?—There are five or six persons at the heads of these little cliques or knots, as I have said.—[Q. 2836.]

"What you stated was that you thought there was one head who ruled each particular body?—Yes.—[Q. 2904.]

"That is what I ask you; you say that there are several persons, each of whom exercises his influence over a distinct body?—There may be only one or two.—[Q. 2905.]

"Is one or two enough?—I mean one or two individuals in each of these little cliques.—[Q. 2906.]

"Are those persons pretty well known?—I do not know; they are said to be known, but of course I have no direct positive knowledge of that."—[Q. 2908.]

Therefore, though Dr. Nulty was not in favour of the measure of the Government, yet even he would not, he believed, deny that for the arrest of the supposed leaders of the secret society its provisions would be effective. Then, with reference to the second, the proof of the limitation of the area of crime, Captain Talbot stated in his evidence, and he was borne out by Mr. Rogers the resident magistrate of King's County, that the operations of the society had extended throughout the whole of Westmeath, although in certain districts the state of things were worse than in others. He would next deal with the means which had been, and should be, taken to repress the state of things described by the witnesses, and here the evidence showed that everything had been done by the magistrates and the police consistent with the powers conferred on them by the ordinary law and the special Act of last Session, although it was true that some witnesses had expressed opinions that, notwithstanding the police were zealous in the performance of their duties, their organization was defective, but no practical suggestion had been made for its amendment. He (the Marquess of Hartington) thought that any hon. Member reading the evidence must be of opinion that the organization of the detective force was clearly not as complete as was desirable a short time since, nor was it such as to enable them efficiently to cope with this description of crime; but efforts had been made to improve it, and the police examined were naturally indisposed to go very fully into a description of the amended system. Probably, under these circumstances, the House would rest content with the assurance that the attention of the Government had for years been directed to the improvement of the detective force, and that any change experience could suggest for its improvement would be adopted; but he was afraid that little, however, could be expected from a purely detective system, no matter how efficient, while the people were still indisposed to assist the police in the detection and punishment of criminals. The witnesses themselves, with two exceptions, suggested but one means, and one only, for the repression of agrarian outrage, and that was the temporary and local suspension of the Habeas Corpus Act; and those exceptions were Dr. Nulty, and the right hon. and gallant Member for Roscommon (Colonel French). Dr. Nulty relied upon the rigid enforcement of the present law, accompanied by the beneficial workings of the Land Act and measures for the improvement of the labouring classes. The suspension of the Habeas Corpus Act, Dr. Nulty thought, might check agrarian crime, but would excite the conspirators to retaliate; he relied, in fact, on a more vigilant police, an increased number of resident magistrates, and more stringent regulations over publichouses as regarded closing and granting licences. With part of those recommendations few would disagree, for, unquestionably, the only sure way to prevent agrarian outrage was to remove its causes. The Land Act would do much in removing the cause, and he agreed that when the operation of that Act was felt the condition of the labourer would be improved, and the motives to commit crime greatly decreased. The Legislature had done all it could towards effecting it by passing the Land Act of last Session; and he believed it had been shown by witnesses that the action of the Legislature was beginning to have a good and salutary effect; but it would be too much to expect—and the supporters of the Bill never did expect—that its results would be immediate; and what the Government desired was to give that remedial measure every opportunity of being tried, but which the present state of Westmeath would not permit, for there was an organization existing, which sprung from former times and from causes that no longer existed, but which it was the duty of the House to meet by temporary measures, as he believed the organization was only temporary. In regard to effecting what he had stated as desirable, Dr. Nulty's remedial measure everyone would admit to be inadequate, for it had been stated that the police had done everything in the way of patrolling, but that could never put a stop to the acts of determined and well-organized men, and the closing of publichouses had been tried under the Act of last year, being in some cases attended with very good effect, and in others not, and therefore it could not be admitted that Dr. Nulty's remedy was adequate for the necessities of the case. Some witnesses had asked for a more efficient patrol of police; but no system of patrol would check the proceedings of Ribbon conspirators; and the right hon. and gallant Member for Roscommon had suggested the repetition of measures adopted upon his suggestion in 1848, when special constables were enrolled and stationed at various places within call of each other, so that a large force could be gathered at any point of attack upon short notice. But the state of things prevalent in Roscommon at that time was very different from the state of Westmeath, for, in 1848, armed bands wandered about the country, and administered the oath to travellers with a pistol at their head; and whereas the proceedings of those times might be described as open rebellion, the proceedings of these times must be described as secret assassination, the same remedy could not therefore be relied on in each case. The Government, after a full consideration of the subject, came to the conclusion that they ought to adopt the only remedy that had been seriously proposed by the great majority of those who were fully qualified to give an opinion upon the subject, and that remedy was the one known as the partial suspension of the Habeas Corpus Act. The Government admitted that this remedy, as regarded the suppression of agrarian crime, was a new and unconstitutional one, for formerly Parliament had attempted to deal with this class of crime simply by defining and describing new offences, by giving additional powers to the police and to the magistrates, and by imposing excessive penalties upon those who were convicted of those offences; but the measure which the Government now asked the House to adopt, although an unconstitutional one, and one which would place in the hands of the Government a grave and a novel power, was not necessarily a severe one, its object being not so much the punishment, as the prevention of crime. He did not mean to say that to put a man into prison for two years was not to punish him; but that the object of the measure was not so much that the man so imprisoned should be punished, as that he should be prevented from committing crime. The only way that the Government saw before them of putting an end to this organization was to keep its leaders out of mischief for some time by imprisoning them. The question naturally arose why, when a similar state of things had prevailed in Ireland for the last 40 years—for it could easily be proved that the state of things all over Ireland had been much worse within that period than it was in Westmeath at the present moment — this particular remedy had never been proposed before? The truth was, that the various Governments, who had never been checked or restrained in their measures for putting an end to agrarian crime in Ireland by any weak feelings in favour of the perpetrators of these crimes, did not propose this particular remedy, because Parliament had always looked with the greatest possible jealousy upon any interference with the securities we enjoyed for our personal liberties, to which it attached an extreme —he would not say an excessive importance; for instance, he, himself, did not think it possible, even in this day, to attach too great an importance to the right which a man possessed of being brought to trial within a reasonable time after his arrest. It might, doubtless, be said, with some show of truth, that the necessity for jealously guarding this safeguard of our liberties no longer existed with the same force as in former times, because no Government of the present time was likely to be so powerful that they could afford to abuse the power of arbitrary arrest and imprisonment. Were we to surrender this right that every man now possessed, the time might come when we might have occasion to regret our precipitation, because strong and arbitrary Governments sprung sometimes from democratic as well as from despotic institutions, and some time the time might come when we might see in this country a Government so strong that we should be unwilling to place in its hands the power of arbitrary arrest and imprisonment. When the question as to the appointment of the Committee came before the House, he was much astonished at the extreme levity with which the suspension of the Habeas Corpus Act was discussed; and he was also surprised at the tone of some of the questions put to witnesses examined before the Committee, for the Government had not felt themselves justified in proposing this measure until every other remedy had been tried and had failed. In order to check the state of things that a year or two since had prevailed, not only in Westmeath, but over the whole of Ireland, the Government had introduced the Peace Preservation Act of last year, and the result of that measure had been to restore the supremacy of the law in all parts of Ireland, with the exception of the district of Westmeath and a part of Mayo; but had the Government, however, listened to the suggestions of the resident magistrates in Ireland, instead of passing the Peace Preservation Act, which had proved so successful in its result, they would have at once asked Parliament to suspend the Habeas Corpus Act. Under these circumstances, the House would see that the Government were not justified in bringing forward this measure until every other remedy had been tried and had failed; and, in his opinion, that justification was well borne out by the facts that the necessity for the measure had been fully proved before the Committee; the provisions of the Peace Preservation Act had been put into execution in Westmeath without effect; and the chief causes which might have excused in some degree agrarian crime had been removed. Dr. Nulty himself had stated that he could call to mind no evictions on a large scale in the district during the past few years; and, therefore, the Government felt justified in asking Parliament to give them the power mentioned in the Bill. He admitted that much still remained to be done to improve the condition of the labouring classes; but that must be effected by other means as well as by legislation, because it was impossible that the rate of wages could be raised, or that a hovel could be converted into a comfortable dwelling, by Act of Parliament. The evidence taken before the Committee tended to show that the condition of the labourers in Westmeath, although, perhaps, not such as could be desired, had greatly improved during the past few years, and that, therefore, their condition could in no way account for the exceptional state of things that existed in that part of the country. Sir George Lewis had stated that he despaired of the success of any repressive measures for Ireland until the causes that led to crime had been removed. He recommended the establishment of the Poor Law in Ireland, and the Poor Law has been established there. He also spoke of the state of the land question; and Parliament had made a sincere, an honest, and, as he believed, a successful attempt to deal with the land question. Until within the last few years Parliament, though always willing to deal by coercive measures with Irish crime, had hesitated to deal with the causes that had been pointed out as producing it; but now the Government and Parliament stood in a different position, because they had done all they could to remove those causes. Again, when crime in any district was the result not of an organization such as now exists in Westmeath, but of a general lawless state of the population—of a general state of discontent, disaffection, and desperation—then he did not believe that such a measure as this could repress it, because under such circumstances when any man who had the opportunity was willing to take the life of anyone who he thought had injured him, any mere power of arbitrarily arresting a particular person could not put an end to such a state of things, and they could not arrest or put in prison the whole or the half of a population. But he believed that no such state of things now existed in Westmeath, where, as the evidence before the Committee proved, although there might be some sympathy with the Ribbon Society in the mind of a great number of people, still they were themselves ruled rather by a feeling of terror, and the great majority of the people would hail with satisfaction anything that would repress the exercise of power on the part of the leaders of that society. There was nothing desperate about the state of the population of Westmeath—nothing very desperate even in the operations of the Ribbonmen themselves.

It was the impunity with which their operations were carried on that encouraged them; and it had seldom been found of late years that even the most determined Ribbonmen had put their own lives in any considerable danger by risking a collision with the police. During the last suspension of the Habeas Corpus Act, though it was not at all directed against agrarian crimes, yet the people of those districts were hardly aware of that fact, and when they thought there existed an arbitrary power of arrest they almost entirely desisted from the commission of those crimes; and he thought there was every reason to hope that the Bill proposed would be equally effective in districts where crime was limited, as he thought it was in this case, to a small number of the inhabitants. He now came to the scope of the Bill, which was directed against two classes of persons, and the first of those classes were the leaders of the Ribbon Society. With regard to these, power was given to the Lord Lieutenant, by his warrant, to arrest any person whom he had reason to believe was a member of, or connected directly or indirectly with, the Ribbon organization: that part of the Bill was strictly limited in its local operation; and it would only apply to a leader of the Ribbon organization, who was or who had been during the present year resident in Westmeath or the prescribed districts; and the rest of the inhabitants of Ireland would have nothing whatever to fear from that portion of the measure. The second class of persons against which it was directed were the principals or accessories to any crime committed in Westmeath; and it had been necessary there somewhat to extend the local application of the Bill. Frequently, when an outrage was to be committed in a district, a person was brought in from some place outside of that district, and he immediately passed out of it again; and it was evident, therefore, that if they confined the operations of the Bill to residents within the district it might fail in its object; and that the power taken to arrest in any part of Ireland either the principals or the accessories in any crime was a necessary one. The power, however, to which he attached the greatest importance, and which he believed would be most effectual, was that directed against the leaders of the Ribbon organization and not against the actual perpetrators of crime. The measure was founded on the belief that the area of the crime was limited; and the evidence, he thought, showed that its area in Westmeath was limited; therefore, the Government asked for all the powers that were necessary, when they asked that these powers should be intrusted to the Lord Lieutenant in those districts only. They also thought that those crimes being the effect of causes which had been mainly removed, if they could suppress that organization which had survived its original causes, then the operation of natural causes—the improved general condition of the people and of the country, would enable the Government and the well-disposed of the community by themselves, and without the assistance of any extraordinary powers, to deal with the evil-disposed classes. There was one other point to which he wished to refer, and that was with regard to the clause for the extension to two years of the operation of the Peace Preservation Act. He found that several Irish Members objected to this clause, and his hon. Friend the Member for Roscommon (The O'Conor Don) had given notice of his intention to oppose it; but he would remind them that the powers of that Act were now, and had been, very sparingly exercised. Under them the counties of Westmeath, Meath, King's County, and Mayo were proclaimed. Since the passing of the Peace Preservation Act the number of outrages committed in Mayo had greatly diminished, and there was every reason to believe that, under the powers conferred on the Government by that Act, tranquillity would soon be entirely restored to that county. The only other parts of Ireland to which that Act applied were very limited portions of Longford, Cavan, Tipperary, Roscommon, and Sligo. He much doubted whether the inhabitants of the districts now specially proclaimed would desire that special proclamation to be removed; but as soon as the necessity for it ceased in any of those districts, the Government would immediately discontinue their proclamation. No injustice or hardship had been inflicted under that Act. Since it was passed it had not been necessary to enforce its provisions against any newspaper published in Ireland. The tone of the Irish Press was sufficiently free at present; and if that Act had prevented it from degenerating into absolute licence, and deterred certain newspapers from publishing downright treason and incitements to murder, no hon. Member would, he thought, regret if its provisions were continued for some time longer. He would show the House the nature of the writings which, except for that Act, would be disseminated throughout Ireland, being published in newspapers printed in America, and seized, under its provisions, on coming into Ireland. [The noble Marquess proceeded to read extracts from the newspapers referred to.] One of these writings declared that secret societies, in other words Ribbon Societies, were the only associations worthy of a moment's attention in Ireland: another called upon the Irish people to possess themselves of arms by any means, even advocating the search for them, either by night or day; while a third begged of the subscribers to these prints in America to post them to their friends in Ireland, and to get them scattered broadcast over the island, because the sentiments to which they gave expression could not be printed in any newspaper published in Ireland. [Mr. Conolly: Where was that printed?] It was printed in America; he thought in New York. [The O'Conor Don: What was the number of papers seized, and where?] The papers from which these quotations are made were seized during the present week, he believed at Cork; and, although he did not know the number of papers seized, he believed it was very considerable, and there could be no doubt, if it were not for the Peace Preservation Act, treasonable writing such as he had read, and worse would, if not printed and published in Ireland, be printed in America and scattered broadcast over Ireland, and he thought the House would not hesitate to give the Government the power to prevent the contamination of the Irish people, or of any people, by such mischievous and abominable stuff. He regretted it had been necessary to detain the House much longer than he had intended; and he would conclude by expressing the hope that the House would, after such discussion as it deemed necessary, agree to pass the Bill, the second reading of which he now proposed.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Marquess of Hartington.*)

Mr. M'CARTHY DOWNING rose to call the attention of the Speaker to a Question of Privilege. There were three Amendments on the Notice Paper in reference to this Bill—one by the hon. Member for Roscommon (The O'Conor Don), which was—

> "That, in the opinion of this House, it is not expedient to continue 'The Peace Preservation (Ireland) Act, 1870,' beyond the date settled by that statute;"

another Amendment was by the hon. Member for New Ross (Mr. M'Mahon), and it was this—

> "That, before proceeding further with this Bill, it is expedient to inquire into the causes of agrarian outrages and to remove the same if found to be the consequences of existing legislation;"

and the third Amendment was his own—namely, "That the Bill be read a second time this day six months." He wished to know whether his Amendment had not precedence over the other two?

Mr. SPEAKER replied that there might be a question as to the hon. Members for Roscommon and New Ross; but there could be no question whatever as to the position occupied by the hon. Member himself; for both of the other Amendments were Amendments immediately following the word "that" in the original Motion, but the Amendment of the hon. Member came in in the middle of the sentence, and was, that instead of the word "now" there should be inserted "this day six months;" and, therefore, the hon. Member for Roscommon had the right of precedence.

The O'CONOR DON, in rising to move—

> "That, in the opinion of this House, it is not expedient to continue 'The Peace Preservation (Ireland) Act, 1870,' beyond the date settled by that statute,"

said, he had no intention, when he put his Notice on the Paper, of interfering with the hon. Member for Cork County (Mr. Downing), nor had he placed it there without much hesitation, and a full sense of the responsibility he was incurring. He felt that as the second reading of the Bill involved two very important principles, and as he could not approve of both he was bound to give Notice of the Motion which he now rose to move. In doing that, he must say that he was not one of those who believed that it was, under all circumstances and in every case, the duty of an

Irish Member, representing what was called a popular constituency, to oppose every Motion of an exceptional or coercive character, simply because it happened to be so, for every Representative was bound to consider the special circumstances of the case, to examine whether there was any justification for the proposal, and if there was, then, however distasteful or repugnant the case might be, he was bound to support it. Having read the evidence given before the Westmeath Committee, and given the subject every attention, he could not conscientiously say that the Government would be justified in standing by and allowing things to remain as they were in that district, for he thought the state of things shown to exist there was a disgrace not only to Ireland, but to the principle of constitutional Government. There was no doubt that, up to the present time, in the minds of the people of Ireland there existed reasons for secret confederacies and Ribbon conspiracies, for so long as there were unjust laws between landlord and tenant — which Judges denounced in their administration of the law as instances of injustice—so long was it idle to expect that the people would quietly submit, and the result of those laws was the organization of the Ribbon conspiracy. While these laws existed, he would not feel justified in supporting coercive measures such as that now brought in; but when the tenants were placed on an equality with the landlords, and the Courts of Justice would not be called on to administer injustice against the tenants, the reasons which had existed in favour of the conspiracy existed no longer, and he thought that the Government and the Legislature were bound to interfere, and with a strong hand to put down the illegal combination. He had never regarded the Habeas Corpus Act as a mere nominal security of personal liberty, to be abandoned on every trifling difficulty in the administration of justice, on the contrary, he had regarded it as one of the strongest bulwarks of the liberty of the people who lived under this Government, and as a measure, the operation of which was not to be lightly suspended whenever a Minister found himself in a slight difficulty; and he exceedingly regretted that an occasion should arise when he should find himself obliged to support the extension to his own country of the suspension of the Habeas Corpus Act. Had he seen any other proposal to put an end to these combinations, gladly would he have had recourse to such a measure, instead of having recourse to the unprecedented course now proposed—the suspension of personal liberty for agrarian outrages. He was very much struck by the unanimous opinion expressed by the witnesses who were examined before the Committee, that the real difficulty of administering the law consisted in the impossibility of getting evidence. It was not that the magistrates and the police were not aware who were the leaders and concoctors of the Ribbon conspiracy, but that it was utterly impossible to procure evidence that could bring conviction home to any person that might be charged. It was not that the juries would not discharge their duties; he believed that notion to be a libel on Irish juries, and he believed that there had been no want of courage on the part of Irish juries in convicting offenders. It seemed, then, that the proposal made by Her Majesty's Government with respect to the district of Westmeath and the surrounding country, although unconstitutional and abhorrent to his feelings, was justifiable, and he could not undertake to vote against it in that House. If Her Majesty's Government had confined the measure to dealing with Westmeath and the surrounding country, and to the partial suspension of the Habeas Corpus Act, he would not be opposing them. But was that the case; was that the character of the Bill, which had been explained by the noble Marquess (the Marquess of Hartington) in a speech of more than an hour's duration. What was the measure which the House were now asked to read a second time? In that Bill there was one of the most unprecedented enactments which, till the present Session, had ever been introduced into Parliament; for what was the character of the Peace Preservation Act of the last Session? Why, the right hon. Gentleman the present President of the Board of Trade (Mr. Chichester Fortescue) told the House that it was the most stringent measure ever proposed within the memory of man; and this measure, proposed for only one year, was now to be extended for twice that term, and there was not a single word said in its favour, except the few words uttered by the noble Marquess at the close of his speech. As the noble Marquess had not alluded in any detail to the Peace Preservation Act, it would be necessary for him to speak of some of its provisions. The right hon. Gentleman the President of the Board of Trade told them that it was the most stringent and the most efficacious Act that was ever passed; but in this he did not agree, for if it had been so efficacious, the House would not be now called on to continue it for double the term, nor would the Committee have been sitting upstairs to inquire into the state of Ireland. Before that Committee, every magistrate admitted that the Act was utterly useless in those provisions to which the right hon. Gentleman attached, last year, the greatest value. The only result of the clause relating to the enforcement of evidence was perjury, for even if the witnesses, compelled to give evidence, were to give a sort of truthful account of what they knew, they would so hedge it about with difficulty and doubts as to render it useless. He thought, then, he was perfectly justified in saying that this part of the Act had resulted in nothing but perjury, excepting in some parts of Ireland, where witnesses had refused to give evidence, and had been locked up by the magistrates for a week, and then were obliged to be released. He now came to the proposal of levying a rate on certain districts as a compensation for criminal outrages. He was aware that, by a technical rule of that House, the clause relating to compensation had been omitted from the Bill, for the Bill was introduced in "another place," where, according to its rules, financial matters could not be dealt with. If it was the intention of the Government to exclude that clause he would be exceedingly glad, because he believed it to be most mischievous; in fact, the Bill itself seemed to him to be a return to the ancient barbaric days. It was an endeavour to harmonize subsisting institutions with those existing in the Anglo-Saxon times. It was trying to reconcile impossibilities. In principle, the plan of imposing a tax on a locality for a crime committed in it wás unjustifiable, and it could not be said that practically it had succeeded. Quite the contrary. The evidence on this point before the Select Committee left no doubt on the subject. Captain Talbot said it had totally failed in procuring evidence or in stopping crime, and that while it did not touch the guilty, who were unable to pay, it rendered the loyal and well-disposed inhabitants discontented. The fear of the Ribbonmen was greater than the desire to escape pecuniary loss, and consequently it was idle to expect that through this tax information which would lead to the detection of crime would be received. Such was the evidence of a gentleman who originally believed in the efficacy of the tax, but who, having seen its practical working, told the Committee that he had seen reason to change his opinion. Mr. Reed, another resident magistrate, Captain Barry, Mr. Boyd, and Dr. Nulty, all regarded the tax as one which alienated friends and loyal inhabitants without rendering the detection or suppression of crime any easier. The only two witnesses who approved the tax were Mr. Julian and Mr. Rogers, neither of whom, however, could produce a single fact in support of their view. Moreover, the manner in which the grand juries had discharged the functions imposed upon them respecting this tax was in itself highly unsatisfactory. It was proved before the Select Committee that in the case of a man named Moran, who knew perfectly well the name of his assailant, and refused to give it, the grand jury awarded compensation; in another case a man named Fox, who asked only for £150, was awarded £300—though, however, the Judge overruled the verdict—and in a third instance the compensation was so heavy that it amounted to 5*s.* 10*d.* in the pound on the poor inhabitants of an impoverished agricultural district, the crime in this case never having been even imputed to those who were obliged to make compensation for it. The proposal of the Government to raise an additional 2*d.* in the pound income tax had lately been violently opposed on the ground that it would press harshly on the professional man and small trader; but what was 2*d.* in the pound to 5*s.* 10*d.*, as incurred by the operation of this Act? As for the argument that the people when they found themselves made responsible for the discovery of crime committed in their district would hunt up and endeavour to discover the criminal, he could only say that the Irish people never regarded it in that light at all; they regarded it simply as a tax imposed upon them by Parliament, and its imposition they felt as an injustice. He believed that any proposal to apply such an enactment to England would not be listened to for one moment. He now came to the subject of the restrictions to which the Press in Ireland was liable by some of the clauses in the Peace Preservation Act. He believed that they had been utterly useless, for anyone who consulted the files of the "National" papers for the last 12 months would find in them plenty of articles of a highly spicy and seditious character, and full of inuendoes that were more dangerous and objectionable than open treason. It was not the treasonable article, upon which, if brought into Court, the Government could obtain a conviction, that did the most harm; the greatest danger lay in the insidious articles which were daily published in the journals in Ireland, and in dealing with them the Government was powerless. Moreover, if the argument of the noble Marquess (the Marquess of Hartington) was good for anything, this supervision of the Press in Ireland must be perpetual; for it was pretty certain that the time would never arrive when certain American papers would cease to contain seditious articles against England. The sooner, therefore, that this enactment, which had yet found no record in a Court of Law, was erased from the Statute Book, the better. As the Peace Preservation Act was continued by a single clause, it might be asked why he did not content himself with voting for its omission in Committee, instead of opposing the second reading; he hoped to do so, but the continuance of the Act was referred to in the Title and Preamble of the Bill as well. Holding these views, it was impossible for him to vote for the second reading of a Bill which proposed to continue that Act; and he appealed to his hon. Friends around him to support his Motion, which did not clash with the others that stood on the Paper. He wished to know what had passed since the passing of the Peace Preservation Act to render its continuation necessary? The right hon. Gentleman the President of the Board of Trade and the Chief Secretary for Ireland had stated that the condition of Ireland was most satisfactory; then, why propose such a measure as that now before the House? The Peace Preservation Act ought not to be re-enacted for twice the term for which it was originally proposed, without a single reason having been alleged for its continuance. And if such a system were countenanced he feared we might insensibly glide into the practice of renewing these coercive enactments as a matter of course. The hon. Gentleman concluded by moving his Amendment.

MR. DEASE, in seconding the Amendment, expressed his conviction that the Bill which had been introduced by the Government was not at all necessary. To show the use which was sometimes made of the Peace Preservation Act, he wished to state, on the authority of a brother magistrate, that a young man was apprehended by a constable for being out at night under suspicious circumstances. No ground was shown for the arrest, and when the magistrate asked the constable why the man had been apprehended, the constable replied that the mother of the young man came to him, and asked him if there was not an Act which would enable him to take into custody a person who was out at night under suspicious circumstances. On being told that there was such an Act, the woman desired him to arrest her son, who went out at night for the purpose of paying his addresses to a young woman in the neighbourhood whom she did not want him to marry. That was one way in which the Peace Preservation Act was carried out in Ireland, which he thought was scarcely one of the purposes contemplated in the renewal of that Act, a proceeding, in his opinion, fit to be linked in with the present Bill, which he considered altogether unnecessary, and he therefore trusted it would be sent to that place to which the Matches Bill of the right hon. Gentleman the Chancellor of the Exchequer had gone, and like that measure to rest there in peace, if it were possible to do so.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to continue 'The Peace Preservation (Ireland) Act, 1870,' beyond the date settled by that statute,"—(*The O'Conor Don,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. M'MAHON said, no one could deny that it was expedient to suppress the conspiracy which now existed; but the House ought to be in possession of such materials as would enable it to effect that suppression. It was an ascertained fact that the heads of that conspiracy did not reside permanently in Ireland; but that it was conducted by persons who could not be reached by that Act, but who were within the jurisdiction of the House, for they resided in Manchester or Glasgow, and the society was directly governed from Manchester. If that were so, why did the Government not take means to catch and punish the offenders in those places? In Glasgow there was no Habeas Corpus Act, and the Government could lay their hands upon the offenders at once; but he thought it was clear that the Government could not rely on the statements of their informants, or, relying upon them, were either ashamed or afraid to ask for power to deal with the liberty of the people of England as they systematically did with the people of Ireland. By the Bill now before the House provision was made that the Lord Lieutenant should be able to seize upon and imprison for two years all persons who were suspected by him, and they were not to be allowed to communicate with anyone. Now, what punishment would that be to any idle, dissolute vagabond, who, after being locked up for two years, would be again let loose upon society? One of the witnesses called on the part of the Government—the Rev. James Crofton—in reply to the Question—"What would be the effect of locking up such a man?" replied that the result would be that he would come out foaming at the mouth like a mad dog. There was another anomaly—namely, that by the Act the law of forfeiture for treason-felony was abolished; but that punishment would be renewed in Ireland by the present Bill. The crimes now complained of began in 1760, and Acts had been passed from time to time for their suppression; but it was not until the last Session that any Act for the removal of the causes of discontent had been passed, and it could not yet be said that that Act—the Land Act—had done anything whatever to ameliorate the condition of the agricultural labourers and small farmers, the classes among whom these crimes chiefly prevailed. It was clear that the cause of Ribbonism was the want of constant employment and the insecurity of tenure; and as an illustration of that, he might mention that when employment was abundant, as it was in the summer months, crime and outrage were unfrequent, and they were only committed when the nights were long and there was a great want of employment. Now, what had preceding Governments done to provide employment for the people? Why, they had not merely been contented with not doing anything, but they had on two occasions deliberately destroyed the means of employment which the people possessed, and which they had provided for themselves; for instance, the cultivation of tobacco, which at one time was carried on in Enniscorthy, and which gave employment to great numbers of people, had been put an end to by Parliament; yet, according to the statements of Mr. Davis, the cultivation of that plant was productive of the most beneficial effects. The result of that ill-judged interference had been that Wexford, which had hitherto been a quiet and law-abiding district, had become noted for the crime and outrages prevailing there. In Belgium the very same system of agrarian discontent had prevailed for three centuries, and crimes of all kinds had been committed by persons who had been hired at a distance, in broad daylight, and under the eyes of the population. That system had arisen from causes similar to those which existed in Ireland, and, in his opinion, the change which had been effected in Belgium might also be effected in Ireland. In 1838 some industrious people in Ireland, finding that there was no Excise law upon the manufacture of sugar from beet-root, commenced that manufacture, and in that year they made 1,500 cwt of sugar, but the Government then came down upon them, and instead of encouraging such a trade they imposed heavy Excise duties, which abolished it altogether. If the Government were to seek for means of giving employment to the people, instead of passing these Coercion Bills, they would do a great deal more good, for mere coercion was of no use in that country, and entertaining that conviction very strongly, he should oppose the second reading of this Bill.

SIR **FREDERICK W. HEYGATE** said, he thought the debate would have turned upon the policy of suspending the Habeas Corpus Act, but instead of that it had become a criticism upon grievances that might or might not exist under the Peace Preservation Act, the main clauses of which, relating to the system of fines, and which were so much complained of, he thought had been struck out of the present measure. The real question, however, was, whether this Bill ought or ought not to be passed? He did not wish to add to the difficulties of the government of Ireland, for he admitted that these difficulties were so great that it was the duty of every hon. Member of that House to sink all personal and political animosities and feelings in endeavouring to pass those measures which were for the welfare of that country. It was the first duty of every Government to enforce law and order, and if they could not do so by ordinary means, they should without any loss of time, on their own authority, and without any reference to a Select Committee, propose such measures, even though they might be extreme measures, as they might think were necessary. He looked upon the present Bill, not as the result of the deliberations of the Select Committee—for that Committee had never made any recommendations—but as a measure proposed simply and solely on the authority of the Government; and he did not understand how there could ever have been any question of appointing a Select Committee at all, unless it was the belief of the Government that Parliament and the country would pay more attention to the recommendations of a Committee than to the recommendations of the Government themselves; a belief which, if it existed, was certainly humiliating to any Government. His own impression, confirmed by reading the evidence, was that no good could result from such inquiries, especially as in this case the Government were in possession of far more evidence than they were able or dared to produce. If such inquiries could not be full and exhaustive, it would be far preferable to accept the dictum of the Government and have no inquiry at all. The same observations would also apply to the second part of the Bill, which was so much complained of; and the Government ought to be allowed, if they thought it necessary, to continue the operation of an Act of Parliament the effect of which they themselves best knew. He felt some pity for the embarrassed condition in which Her Majesty's Government now found themselves; but he attributed that position to the legislation in which they had indulged during the last two years. When the Irish Church Bill was introduced two years ago, it was said that it would cure almost all the evils of Ireland, and be a message of peace; but such results had certainly not yet been brought about; and, on the other hand, only very recently the Chancellor of the Exchequer had complained in his Budget that the deficiency in the year had been aggravated by the advance of £500,000 to the Irish Church under that Act. The Irish Church Act had led to the attack on the English Church, which was so well defended the other night by the hon. and learned Member for Richmond (Sir Roundell Palmer) in a beautiful speech, which everyone must have felt was almost as well applicable to the case of the Irish Church Act. Then there was the Irish Land Bill; but he admitted it was unfair and hard to charge the Government with the want of success of an Act which had really not yet had time to work. Whatever the results of that Act might be however, it would have nothing to do with the increase which had taken place in the amount of Irish crime. While he felt sorry for the Government, he was still more sorry for the position of the noble Marquess the Chief Secretary for Ireland, and he would not say a word against the right hon. Gentleman (Mr. Fortescue), who preceded the noble Marquess in that office; but that right hon. Gentleman had certainly viewed the state of things before him with marvellous equanimity. When, however, the noble Marquess became Chief Secretary he was naturally struck with the amount of crime and outrage in Ireland, and he did not lose a day before he brought the question before the Government. In 1866 the number of agrarian outrages specially reported in Ireland was 87; in 1867, 123; in 1868, 160; in 1869, 767; in 1870, 1,329; and in the first three months of 1871 the number was no less than 1,050. He did not wonder that the noble Marquess took instant action upon the matter; but he did wonder that, instead of proposing a legislative measure at once, the noble Marquess should have contented himself with moving for a Select Committee, which must inevitably cause delay. He did not believe that these agrarian outrages and crimes were due to the causes to which they had generally been attributed, for at the time of the Fenian conspiracy in 1866, 1867, and 1868, one of the most alarming features of the conspiracy was that burglaries and other smaller offences almost ceased to be perpetrated in certain parts of Ireland. It was a lull before the storm, and was a dangerous portent, inasmuch as it showed how entirely the one idea of Fenianism had banished or absorbed all other kinds of crime; but as the hopes of the Fenians became more and more faint, ordinary crimes grew up again, and Ireland returned to its normal state. The amount of crime and outrage that had been lately committed was fearful to contemplate—and here he wished to answer the allegation that the county magistracy of Ireland had failed in the performance of their duty. He denied that allegation altogether, and he would tell hon. Gentlemen who were county magistrates in England that they would scarcely feel so comfortable in the discharge of their duties if they knew that a terrible retribution might possibly fall upon them. It was all very well, also, to talk of Irish juries; but it should be remembered that the men who served on those juries did so at the hazard of their lives, and the question of Irish juries deserved the most serious attention of the Government. With regard to the magistracy, a mixed system was adopted in Ireland, a stipendiary magistrate sitting with a certain number of county magistrates, and it was not to be expected that such an arrangement would work so satisfactorily as the system adopted in this country. As to the Irish police, it had been said that they were of no use as detectives, and that they were too military a body of men; that was true to a certain extent, but it should be borne in mind that when the police were taken from among the people they would naturally have a strong sympathy with the people, and that feeling could only be got over by making them a semi-military body, and giving them a special pride in the force to which they belonged. That the desired result had been gained he thought was evidenced by the fact that nothing could be more striking than the way in which the Irish police behaved during the existence of the Fenian conspiracy, for there was not one case of hesitation. With one consent the whole of the police force stuck to the cause of law and order. He disliked this sort of legislation; but he believed the present Bill would succeed for two reasons—first, because agrarian outrages seldom took place in the summer months, when the nights were short and the days long; and secondly, because the Irish people, who were a clever race, began to perceive that the Government were really and truly in earnest in their efforts to repress outrage and crime. This knowledge would restrain them from the commission of crime, and would render it unnecessary to put the Act in force. The worst feature in the Bill was that the time it was to remain in operation was defined—a fact which might cause quiet during two years, followed by a return to acts of violence, rendering it necessary to re-enact the measure. He thought it would have been better to state in one of the clauses that the Act would remain in force until a certain fixed time had elapsed during which no outrage had been committed in the district affected by the Act. He hoped that a policy like that of Lord Palmerston's—who thoroughly understood the state of Ireland and the character of her people—would be adopted by the Government, and that, though it was now necessary to pass an Act like the one under discussion, Ireland would speedily return to a state of peace and quiet.

MR. M'CARTHY DOWNING said, the hon. Baronet who had just sat down (Sir Frederick W. Heygate) must have changed his opinions very much since last year, for when the Peace Preservation Bill was introduced, he stated that the suspension of the Habeas Corpus Act was not warranted by the state of Ireland in the month of April, 1870; and as the state of the country in May, 1871, was very much better than in April, 1870, the hon. Baronet could not vote now for the suspension of the Habeas Corpus Act with much consistency. The Government had been deceived on this question altogether; in the Queen's Speech, delivered on February 9, it was said that Ireland, if not in a state of perfect tranquillity, was at all events in a state not calling for any immediate attention, and that it only wanted repose; and yet, on the 23rd of the same month, the noble Marquess the Chief Secretary for Ireland had moved for the Westmeath Committee. Had any outrages been committed in Westmeath in the interval to justify that Motion? Not one. According to the noble Marquess's speech in February, seven murders and ten attempts at murder had been committed in Westmeath in the year 1870 and winter months of this year; but, according to the actual fact, there had only been two murders there during the whole of the time; and thus the House was led to believe there were seven murders, whereas five of these occurred before the introduction of the Peace Preservation Act, and led to the adoption of that measure, and yet the Government, with such slight reason on their side, now proposed a Bill which was without parallel even in the darkest phase of England's hatred to Ireland. Was it to be tolerated that, because there had been two murders committed in a population of 175,000 inhabitants, they were not only to continue the Peace Preservation Act, which had been described by a noble Lord in "another place" as little short of martial law, but also to suspend the Habeas Corpus Act? But what was the state of Westmeath? In January of this year there was no murder and no attempt at murder, though there was one case of firing at the person, and although in 1870 there were no fewer than 648 threatening letters and 346 administrations of illegal oaths, there were not in January, February, and March any case of the administration of unlawful oaths, and only 14 threatening letters. The correspondent of *The Times* at Dublin stated that Ireland was tranquil from one end to another; that the country was never so prosperous as it was at present; and yet this was the time that a Government that was supported by Irish Members selected for bringing in a Bill that had never been outdone even by the Whigs in their worst days. The suspension of the Habeas Corpus Act in Westmeath might do no harm to any well-disposed person; but the power was a serious one to intrust to any man or to any set of men; and the power, moreover, would, as a matter of fact, be intrusted to the police, for it was from them that information was obtained, and such a power afforded the members of that body an easy mode of feeding their revenge or clearing a rival out of the way. In 1852 crime was excessive, but the Committee which inquired into the state of Ireland at that time—the Conservative party being in power—simply recommended the amendment of the jury laws, powers to change the venue of trial, and some slight amendment of the licensing system. They had recommended no such severe measures as were contained in this Bill. Even the testimony of the witnesses before the Committee, although they were chiefly composed of official persons, the Government having called no extra-official, except Dr. Nulty, and he being called only in consequence of statements made to the Committee, yet when analyzed, it did not justify the course they were about to take. Mr. Seed, the senior Crown solicitor, agreed with the late Sir Matthew Barrington that the vigorous administration of the ordinary law was the most effectual remedy for the suppression of disturbance; and that gentleman, in his evidence stated, that though he believed that crime must more or less exist in every country—for that state of things appeared unfortunately inseparable from the weakness of humanity—yet it was his conviction that Ireland was at that time as free from the commission of aggravated crimes as any country in Europe, and he added "that crime in Westmeath was not a twentieth of what it was in former years." He (Mr. Downing) felt deeply grateful to the right hon. Gentleman at the head of the Government for the many benefits he had conferred upon his country; but he asked him whether he had really read the evidence to which he referred, because if he had, he could not believe that the right hon. Gentleman would have consented to the introduction of the present measure? If he uttered not a word more, he thought he might appeal with confidence to the justice and generosity of both the English and Scotch Members against the enactment of a law against Ireland so unconstitutional as that now under consideration. Would the Representatives of England or Scotland tolerate the introduction of such a measure for their countries, founded upon such a weak and unwarrantable basis? But he was afraid that because his country was Ireland, that many hon. Members would be disposed to support any measure of coercion, without thinking it necessary to investigate the reasons for it, and that when the bell rang for the division, many such Gentlemen would be found hastening into the House who had not been listening to the debate, eager to support by their votes a Bill intended to crush the liberties of Ireland. On the 17th March, 1870, St. Patrick's Day—a day which was dedicated by the people of Ireland to pleasure and the interchange of courtesies, friendship, and goodwill—a debate occurred in that House; this House presented to the people of Ireland its offering in the shape of the Peace Preservation Act, and on the 17th March of the present year, the subject of the suspension of the Habeas Corpus Act engaged its attention. The right hon. Gentleman at the head of the Government, in replying to some observations of the hon. Baronet the Member for Londonderry (Sir Frederick W. Heygate), on the first occasion stated that the suspension of the Habeas Corpus was not a measure that ought to be adopted except under the most stringent necessity—in cases only of apprehended outbreak or civil war. That was the deliberate opinion of the Premier in March, 1870, and yet he was the head of the Government that now, in 1871, introduced this unconstitutional measure, when the state of Ireland was infinitely better than it was a twelvemonth ago. Even in the Speech from the Throne, on the opening of the present Session, it was declared that Ireland was in a state of comparative peace; and he denied that there was any evidence to prove that the condition of Ireland was worse at the present time than it was on the 9th of February, when the Queen's Speech was read from the Throne. What, then, was there to justify this exceptional legislation? In 1870 there were upwards of 600 threatening notices. What was the case in the present year? In Westmeath, the most disturbed part of Ireland, as it was alleged, there had been only six such notices in January, eight in February, and none, he believed, in the following months of March and April. The Irish Members had had two years of heavy Parliamentary work; and, on reading the Queen's Speech for the Session, he (Mr. Downing) had flattered himself that they would have a quiet time of it in the present Session; but he had not been on English soil more than two hours when that pleasing delusion was dissipated, on reading the Notice given by the noble Lord the Chief Secretary for Ireland, which resulted in this Bill being introduced, on the Report of a Committee before whom the witnesses had shown how the reports of alleged outrages had been fabricated. Many of the cases that had been represented as crimes in Westmeath were got up. One person said he had been fired at and wounded, and he showed the blood; but the blood was nothing more than the colouring with which sheep were marked, and the whole thing was found to be a fabrication. Another man was proved to have written a threatening letter to himself; and a constable named Supple reported that he had been fired at and struck by three bullets. He said he knew the man who fired, but he was acquitted. A memorial was sent to the Government to have the case investigated, but the Government made no reply. What was to be thought of cases manufactured in this way? Yet he believed Supple was promoted, and received a medal of honour, whilst Westmeath was to have a suspension of the Habeas Corpus Act. Memorials, too, had been sent from time to time, to the Lord Lieutenant of Ireland, praying for an investigation into many such cases, but those memorials were not even acknowledged. He (Mr. Downing) thought that his country had been most unfairly and unjustly assailed, and that the right hon. Gentleman at the head of the Government had been deceived; for he believed that there was not in that House one who would be less willing to give his assent to such a measure as this, if he could have informed himself of the facts, than that right hon. Gentleman. He knew that the right hon. Gentleman could not possibly apply his mind to the examination of all the circumstances connected with the various measures that were introduced into that House, burdened as it was with the weight of Imperial legislation that was cast upon it; he therefore did not think the right hon. Gentleman was responsible for this part of the scheme for the good of Ireland; but the Executive of Ireland were the parties that were responsible for it. The Lord Lieutenant of Ireland he knew was a man to whom power might safely be confided, and, he must say, that noble Lord was esteemed and respected by all classes in Ireland. The noble Marquess the Chief Secretary for Ireland, too, though not as experienced with the duties of his new office as his predecessor, was yet a man who was connected by family ties with that country, and who, he believed, was moved by the best intentions and the most sincere desire to improve the condition of Ireland. Giving the two Noblemen he had named and the right hon. Gentleman at the head of the Government every credit for the possession of the purest and most honourable feelings, he (Mr. Downing) still maintained that they had been imposed upon in the information upon which they were now acting, and that they had utterly failed to make out any case to justify this harsh and exceptional measure. They had been told, for instance, that they should go into a Committee of Inquiry; but what did they get there that was not fully known before? The noble Marquess the Chief Secretary gave up the condition of secresy which he had first suggested in connection with this Committee, and subsequently refused to make any Report upon the evidence that was produced before it; what, then, he (Mr. Downing) asked was the Committee appointed for? The present Bill was the unhappy sequel of those proceedings, which Bill he defied them to justify by any evidence that would be tolerated by the English and Scotch Members, as furnishing the slightest pretext for legislation for any other part of the United Kingdom. This was a measure which the people of Ireland could not but resent; it was one which public opinion would denounce as cruel and uncalled for; and as an additional wrong driven to the quick without cause or justification. At present the Constitution was almost entirely suspended in Ireland, and English Members could not have the least idea of the state of things which now existed there. As an example of what went on there every day, he would instance a case coming within his own knowledge, in which a most respectable farmer, of 70 years of age, living on the sea coast, and whose crops were destroyed by crows and wild pigeons, wanted to obtain a gun licence for shooting; but his application was repeatedly and persistently refused. Having himself known the man intimately for many years as being one of the most respectable inhabitants in his barony, he willingly certified to his good character; but the recommendation of a Member for the great county of Cork was not deemed sufficient to secure for him from a resident magistrate a licence to shoot crows. He would now conclude, as he knew that he had trespassed much too long upon their valuable time; but he hoped he would be forgiven, in consideration of the love he bore his country, and his indignation at seeing it treated far worse than they would think of treating any other part of the British Empire, even under far more aggravated circumstances, and he trusted that they would give him credit for an indisposition to obtrude upon their time, except upon matters with which he was thoroughly acquainted and deeply interested. He had entered that House as a warm supporter of the Government, and he was desirous of continuing his confidence in them so long as he could do so consistently with his principles, but not a moment longer. He believed this to be a fatal step of the Government, and one which would prove fertile in the production of discontent, disloyalty, and national hatred to the British Legislature; and if he might presume to give advice to the Prime Minister, he would suggest the withdrawal of this Bill, as the Government had twice withdrawn their Budget. It was not too late to remedy the evil they had committed; let them perform that act in a gracious and conciliatory spirit, and they would go far to bind the people of Ireland to this country by the strongest ties of justice and generosity, and secure their warmest feelings of regard, esteem, and confidence.

Mr. RUSSELL GURNEY said, that it must have been inferred from the statement of the hon. Gentleman who had just spoken, that Mr. Seed had given an opinion adverse to the Bill now before the House. If, however, his evidence was referred to, it would be found that he thought it essential that the power to suspend the Habeas Corpus Act in particular districts should be given to the Lord Lieutenant, though he hoped that it being known that he had the power, it might not be necessary for him to exercise it. The hon. Member had by mistake referred to a Paper laid before the Committee by Mr. Seed, in which he gave a full account of the organization and mode of action of the Ribbonmen. One paragraph would read—

> "The deed of blood is usually done in implicit obedience to command; but if the party commanded should demur, it is done by lot. If he escapes immediate detection, money is collected and he is sent out of the country; if detected, he is supplied with means for his defence. At his trial witnesses also are provided for him."

This was the confederacy with which, according to Mr. Seed, whom hon. Members described as a witness upon whom the House might rely, they had now to deal, and the evidence before the Committee showed what were the results of that confederacy. Between the 1st of January, 1870, and the end of February, 1871, there were committed in Westmeath, 115 agrarian offences, and only two were followed by punishment. In King's County there were 42 cases, and not one person was punished; in Meath there were 83 cases, and only one person was punished. But the whole story had not been told; for not one-third of the outrages that occurred were reported to the police, and information was obtained only with the greatest difficulty even from the sufferers themselves, because they were held in terror of their lives by the Ribbonmen. For instance, a poor farmer's wife having ventured to report her case to the police, she had to be guarded night and day by two constables. Then the hon. Member opposite (Mr. Downing) referred to the absence of murders; but what was the cause of this? Nobody dared to do that which would provoke the murder. There was ample evidence to prove that farms remained unlet for years because nobody dared to take them; and on one of these a tenant was evicted in 1856; another man took the farm; he was threatened, he disregarded the threat, and in 1858 he was shot; another person ventured to take the very same farm in the following year, he likewise disregarded a similar threat, and he too was shot. From 1859, when the last outrage took place, that farm had not been the scene of any more murders, simply because nobody had dared to do that which had provoked murder—namely, to take the farm, which remained unlet on that account. In 1863 the tenant of another farm was evicted for non-payment of rent. A person took the farm and was shot at. He refused to give information that he had been shot at, but he gave up the farm to save his life. That was the reason why there had been no murders lately, and it was part of the evidence that something was necessary beyond the ordinary law. Nor was the case an isolated one, for very many cases of the same character had occurred in Ireland; and he was convinced that they were not such as might be dealt with by the ordinary law. The system of terror was not confined to land. The noble Marquess (the Marquess of Hartington), who brought forward this Bill, had alluded to the extraordinary evidence of the chairman of the railway which passed through Westmeath. There, for example, was a case of terrorism. That railway was controlled, not by chairman and directors, but by a secret body, whose efforts prevented its proper management. An inspector of the railway was reported for incapacity, and his place was offered to another person; a threatening letter came from that secret society, and the company had to retain an incapable inspector on the line; while a station master who had discharged his duty faithfully was obliged to be removed, because he had reported a man for stealing coals, and in consequence of that he was threatened and obliged to make the station bullet proof in order to protect his life, and had two policemen to watch day and night. The Crown prosecutor told the chairman of the railway that he could not be answerable for the consequences if he remained, and he had to be removed to another place. Another station master, who was not removed under similar circumstances, actually lost his life. The hon. Member for the county of Cork (Mr. Downing), having referred to the evidence of Dr. Nulty, Roman Catholic Bishop of Meath, he (Mr. Russell Gurney) would allude to that Bishop's Lenten Pastoral of this year. He there said that Ribbonism now occupied itself in sending threatening letters and notices, paying domiciliary visits, breaking into peaceful dwellings, and shooting down men and even women when the operation could be performed with safety. That was the state of things which the hon. Member described as one of peace and prosperity. In fact, he might say, and with perfect justice, that the operation of these secret societies extended to all the affairs of every-day life. The only question, then, he had to ask himself was, whether the proposed remedy was adequate to the end; would the suspension of the Habeas Corpus Act have the desired effect? If we might rely upon the evidence of persons acquainted with Westmeath it would. They told us that there were a number of Ribbon leaders well known to the police, any one of whom could be laid hold of, and the seizure of them would produce an amount of terror which would destroy the organization; for the existing organization was such that witnesses could not be got, and if they were, verdicts could not be obtained from juries. At the last Assizes at Westmeath, there was no difficulty in six cases of ordinary crime, and prosecutions were successful in six others which were proved by the police; but in three cases witnesses refused to repeat the evidence they had formerly given; in ten, juries disagreed, and witnesses had to be protected by the police. He (Mr. Russell Gurney) cared little by what name such a confederacy was called. The evidence had satisfied him that the ordinary powers of the law were not sufficient to meet it. He (Mr. Russell Gurney) entered upon the inquiry with grave doubts as to what was the fitting remedy for this evil. He knew that the suspension of the Habeas Corpus Act would afford temporary relief, but he feared it might be only temporary, and that, trusting to the compelled quiet, other remedies for the evil might be neglected. But he was convinced that even if temporary, much would be gained, as in Ireland time was everything, in order that the measure of last year might have its natural effect, and he trusted that it would be more than temporary, and that the leaders being either taken or compelled to quit the country, the organization, which at one time extended over a large portion of Ireland, might be driven from the limited districts where its baneful effects were still seen. The Bishop of Meath was, no doubt, unwilling to admit that that which he called Ribbonism existed; but he admitted that in different districts there were distinct bodies which were led by one or two "heads" who knew each other, and kept up communications; and if one of them wished an outrage to be committed in his own neighbourhood, he knew that some one from a distance could be secured to commit it, with diminished chances of detection. These "heads" being known, could be taken, if they remained on the spot, which he did not believe they would do; and, if they did not, their dispersion would break up the organization which was doing the mischief.

MR. O'CONOR moved the Adjournment of the Debate.

Debate *adjourned* till *Tuesday* next, at Two of the Clock.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE UNITED KINGDOM AND THE COLONIES.

MOTION FOR A SELECT COMMITTEE.

MR. MACFIE, in rising to call attention to the relations between the United Kingdom and the Colonies, and to move the following Resolution:—

> "That a Select Committee be appointed, to consider whether any and what ameliorations should, in concurrence with the Colonies, be made in the relations between the United Kingdom and the Colonies, with the view of the permanent maintenance of the best and most cordial interconnection between all parts of the Empire,"

said, he believed that the Government of this country had for a very long time failed to realize the great interest which the majority of the people, and especially the working classes, felt in the subject of the relations between the mother country and her Colonies. He was afraid that was a fault for which one party in the State could not pass censure on the other. He wished chiefly to direct attention to three groups of Colonies — the North American Colonies, the Australasian Colonies, and the Colonies in Southern Africa. The North American Colonies contained a population of about 4,250,000, the Australasian about 1,750,000, and the Colonies in Southern Africa about 1,250,000. The population of the first of these groups approached that of Belgium, and surpassed that of the Netherlands and Portugal; the population of the second exceeded that of Denmark; and the population of the South African group approached that of Greece. Of course, such States as these—for so he might call them—could not be kept in a condition of pupilage. With their growth in population and in prosperity they attained a new position. They were naturally inclined to make new claims, while, on the other hand, we made fresh claims on them. The hon. Gentleman read extracts from colonial newspapers and other documents showing the loyalty of our fellow-colonists. An influential review — *The Contemporary* —published last month, quoted the words of Sir Alexander Galt, who said that although the subject presented many difficulties, he thought Confederation offered the best, if not the only chance of holding the British Empire together; and the author of the article in that review maintained the proposition that Federalism alone was the principle on which the constituent parts of the Empire could be permanently welded together. Passing to the public opinion of Australasia, he first looked to the Press of Australia, and quoted the opinion of *The Melbourne Argus*, in an article written when some alarm was felt in that Colony lest England should be involved in a Continental war. In that article the writer stated that both the Government and the people of that Colony had acknowledged the paramount duty of maintaining the integrity of the British Empire, but pointed out that the Colonies were in a state of semi-dislocation. The Report of the Royal Commission which had been issued in Victoria to consider the relations between the Colonies showed that they presented the phenomenon of responsibility without corresponding authority or adequate protection; it stated that the only right which the Colony of Victoria did not possess was that of contracting obligations towards other States, and recommended that the tie between the mother country and the Colonies should be reduced to the merest personal one of being ruled by the same Sovereign. Turning to another Colony, he found *The New Zealand Herald* complaining that Earl Granville did not care whether the connection between Great Britain and her Colonies was maintained; but protesting, as a member of the Empire, against the idea that the Foreign Secretary or any other Minister should take upon himself the responsibility of severing it. Another newspaper in New Zealand thought it would be necessary to claim the independence of the Colony, while a third urged that England should relinquish her sovereignty over that possession. He wished to quote a passage from one of the despatches of Sir George Bowen, to the effect that the absurdity as well as the iniquity of the present system were too great to last much longer. He would next read various extracts relating to South Africa, representing that separation from the Empire must be the necessary consequence of the policy pursued by the mother country. He questioned whether our relations with the Colonies were such that we could, if a sudden emergency arose, call on them to contribute their proper quota of troops for the defence of the State. If we were leaning, as we were entitled to lean, on the Colonies for support in case of war, he feared we were leaning on what, in such circumstances, must prove a broken reed. On the other hand, the Colonies were not sufficiently consulted by us. The transfer of our territory on the Gambia, for instance, might have been completed before the colonists had the opportunity of knowing that it was contemplated. He would next refer to the important subject of emigration, and would state that the yearly transference of our home population to the United States is proceeding at such an accelerated ratio, that before the century closes about 500,000 of our people would be going annually to the United States, while our Australian Colonies received not more than half the number that emigrated thither five years ago. He would quote the report of Mr. Edward Johnson, Secretary of the Treasury in the United States, which appeared in *The Times*, stating that half the emigrants to the United States were of British origin, and came from the United Kingdom or the British Provinces of North America. Would it not have been possible to have directed a very large portion of this emigration to the British Colonies? He believed that might have been done; and that it was only from neglect and indifference that it was not done. The cause which had led him to this result was, in a great measure, the rapidity with which that House transferred to the Colonies the possession of the unoccupied lands without consideration or debate, though it was clearly understood that those lands should be sold, as hitherto, with a view to encourage emigration. It might now be said by some that it would be right to "let well alone;" but he asked whether it was well that Englishmen, by going to the United States, should give up their allegiance to the British Crown, and should no longer contribute to the wealth of this Empire, or use their brawny arms for the defence of the interest and honour of their native country? Other Empires were growing in extent and population. Germany, Russia, and the United States had increased in territory and in the number of inhabitants, and this country could not maintain its relative position if it did not retain its population as members of this noble Empire. Was it right that some of the best of our population should go to the United States while the mother country was being oppressed by pauperism? This country had always employed its great power and resources in the propagation of civil and religious liberty, but its power would become much enfeebled if it separated from the Colonies. It was a matter to be regretted that the immense business of the British Colonial Empire was always entrusted to one individual, who, if he were an angel, could not find time for the management of so many and such important interests. It would be well to have a Colonial Council or Board, at which the Colonial Minister would be surrounded by members of the Legislature interested in colonial matters; but what would be still better would be a great Conference, composed of representatives of the Colonial Empire, and entrusted with the task of establishing among the various Colonies, and between the Colonies and the mother country, a greater degree of reciprocity and cooperation. One of the most hopeful plans in his (Mr. Macfie's) opinion, was that of confederation. This nation had a great future before it, and he trusted that the House would hear some declaration from the Government that they would grant a Committee to consider this great and important subject. The hon. Member concluded by proposing the Motion of which he had given Notice.

SIR **HARRY VERNEY**, in rising to second the Motion, said, that no one could have resided in any of our Colonies without finding that there was a deep feeling of affection on the part of the colonists towards this country, and that there was the greatest anxiety that the credit and honour of our country should be upheld. The character of the British merchant was maintained, as he had himself seen in the ports of South America, where British goods were all sold by invoice, whereas those from other countries were never sold until they arrived; and even the Red Indians of North America, in their dealings, were in the habit of drawing a distinction between a King George's man and a Boston man, very favourable to the former; looking upon the one as a faithful, trustworthy friend, and upon the other as one who wished to "improve them off the face of the earth" in order to appropriate their hunting-grounds. It had been said by some that our Colonies were a source of weakness to us, and only afforded our enemies an easy opportunity of assailing us; but the connection with them might be viewed very differently, and it might be said that as long as we looked upon them with affection and treated them as they deserved, they would be to us a source of strength, though it was possible they might become a source of weakness to us if we looked upon them with anything like an absence of sympathy. We were told, moreover, occasionally that there was a strong desire among the people of this country in favour of separation, but he did not believe that such an opinion prevailed to any extent; and he was sure that that Colony, which we treated with the greatest confidence, and into which we infused the utmost self-reliance would be most attached to us, and render us the most valuable assistance in times of emergency. All that was desired was that our colonists should acquire for themselves such habits of self-reliance as a father would desire his son to display, but there was no wish that the connection between the old country and her Colonies should in any way be severed. The attachment of the North American Colonies to the mother country had been very much strengthened within the last few years, and their unmistakable desire to preserve their connection with us had been proved by the fact that they had formed themselves into the magnificent Dominion which they had now settled down into, and which, he thought, was ultimately destined to become the high road from China to Europe, and one of the most important districts of the world. We should, however, be very careful in selecting the men whom we sent out to govern our Colonies. He had asked a colonial Governor, on one occasion, what were the best characteristics of a good Governor; and the reply he obtained was, that the best colonial Governor was the man who would carry most of England with him to his new home—who would carry the most of English life and character abroad; and the worst Governor was the man whom the Government were ashamed to employ in this country, and who was therefore sent out to direct a Colony. He trusted that Governors of the latter sort would never be sent out again by any Government, although he knew that such men had been sent out in the past. By such conduct much would be done towards cementing that bond by which the old country and her dependencies were united. The hon. Baronet concluded by seconding the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to consider whether any and what ameliorations should, in concurrence with the Colonies, be made of the relations between the United Kingdom and the Colonies, with a view to the permanent maintenance of the best and most cordial interconnection between all parts of the Empire,"—(*Mr. Macfie,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

VISCOUNT BURY said, he must oppose the Motion, because he had always desired that cordial relations should exist between the Colonies and the mother country; and because he believed our relations at this moment were most cordial and most truly permanent, and in every way giving us such a guarantee of the utmost permanence and stability, that it would be better to act upon the old maxim *quieta non movere*, and not to enter upon such an investigation as was contemplated by the hon. Member for Leith (Mr. Macfie) at the present time. The Government, too, might possibly find itself compelled just now to oppose this Motion, and such an opposition might be interpreted by those in the Colonies, who were unfavourable to the maintenance of the connection with this country, as implying that the Government were indifferent to the wishes and aspirations of the colonists, and that the House of Commons had no sympathy with their wants and requirements; for that reason, if for no other, he should counsel his hon. Friend not to press his Motion to a division. Although he had listened to the speech of his hon. Friend with all possible attention, yet there was, he could not help thinking, a certain vagueness in the complaints made by his hon. Friend, and in the remedies which he proposed, which were fully set forth in a pamphlet, in which he expressed his regret that the tide of emigration was not directed to the British Colonies, but was suffered to flow into the United States, and that the great towns of the country were overcrowded, to the injury and depopulation of the smaller country places. His hon. Friend must, however, bear in mind that this country was the great workshop of the world, and that there seemed at present, so long as our manufactures were cheaper than those of other countries, little likelihood that they were about to diminish. He begged, moreover, to deny that there was a plethora of population in our great towns, although he admitted there was sometimes a congestion, causing a temporary displacement of the labour market, consequent on the migration of industry from one centre to another. Labour, however, like everything else, soon found its own level, and he did not, therefore, anticipate that great failure in the labour market which his hon. Friend seemed to apprehend. But even let him suppose the occurrence of such a failure, did the hon. Gentleman imagine, that, unless we were to pay each individual emigrant, we could compel him to settle where we pleased? No; the proper way of meeting the case was by holding out inducements, and showing that the British Colonies were the most desirable places to which to emigrate; but, even with all that, he thought, in many instances, that the vast plains in the interior of the continent of North America, lying open to the operations of the emigrant, would even yet more attract than the best of the British Colonies. Again, his hon. Friend, in his pamphlet, advocated the taking of legislative measures to facilitate the exchange by noblemen and gentlemen in this country of the lands which they possessed for a larger area in the Colonies. But with whom were these exchanges to be made?

MR. MACFIE explained that what he meant was that the nobility and gentry of the country should be encouraged to exchange 10,000 acres, which they might possess in this country, for 100,000 acres, by selling the 10,000 acres here, and investing the proceeds in the Colonies.

VISCOUNT BURY said, he was not aware that there was in existence any law which would prevent any nobleman or gentleman who might please to do so from exchanging his patrimonial acres for 10 times their number in the Colonies, while there was no reason why any of our gentry should not settle there if they wished. Our laws, too, though his hon. Friend did not seem to be of that opinion, were pretty much Imperial in their range, and as to our literature a somewhat similar remark might be made; while with regard to our money, he (Viscount Bury) had never heard of any British Colony refusing British coin. As to gentlemen from the Colonies being received into British society, there had been a great change as far as that was concerned within the last few years, and any colonial gentleman would now be received into the highest society in this country with all the respect due to his position; but whether the Colonial Office could be made more accessible to the colonists, his hon. Friend (Mr. Knatchbull-Hugessen), who would be sure to treat with the greatest courtesy everyone who approached him, could best say. As to our taxation being framed with the utmost regard to the development of trade in colonial products, he might remind his hon. Friend that he might have heard, in some cases at least, of differential duties being imposed by the Colonies on British goods, and it was we, not they, that had reason to complain. The House had discussed before the question of removing British troops from the Colonies; he had been against it; but those who thought with him had been fairly beaten, and until the happy day arrived, when they should be able to upset the decision of former Governments, they could not expect much change in that respect; indeed, he even doubted its advisability, if it were possible. There might be a sentimental grievance underlying the complaints of his hon. Friend; but were they of such magnitude as to induce them to grant a Select Committee to inquire into their validity? His hon. Friend proposed an Imperial council to conduct the affairs of the Colonies and of the English people, which should leave all matters specially affecting Great Britain and Ireland to the Imperial Parliament as at present, and all matters specially affecting the Colonies to their own control; in that course what labour would there be reserved for the Imperial council? It would only squabble with the various Legislatures, which would then degenerate into provincial assemblies.

MR. BAILLIE COCHRANE here interposed, and asked the noble Lord who had been referring to Mr. Macfie's pamphlet, which he held in his hand, whether it was the hon. Member's speech to which he had been referring?

VISCOUNT BURY said, it was the same as the speech, being, in fact, a synopsis of the views of his hon. Friend, expressed in the House, and frequently in a society to which they both belonged. He feared his speech might read as if he undervalued the connection between England and the Colonies; but it was quite otherwise, for he had been too intimately connected with the Colonies, and had their interest too much at heart, to say anything which could be to their disadvantage; but he did not think the appointment of a Select Committee would promote the object which his hon. Friend had in view. The hon. Baronet who had seconded the Motion praised the Englishman in his dealings with the aboriginal tribes, who, he said, were in the habit of distinguishing between a "King George's man" and a "Boston man." Now, he had been for some years Superintendent General of Indian Affairs in British America, and his experience was, that in the eyes of the aboriginal tribes a "King George's man" and a "Boston man" were pretty much tarred with the same brush, for they had suffered from our system of obtaining cessions of territory. He referred to North America generally, and not to one particular portion of our possessions, which the hon. Baronet perhaps had in view. For the reasons he had stated he was unable to support the Motion.

MR. KINNAIRD said, he very much regretted the want of sympathy which official men and the House, in general, had till recently shown towards the colonists; but he was somewhat consoled by the thought that the people of this country generally, sympathized with them. As an instance of the unwise way in which the Government had dealt with our Colonies, the hon. Gentleman referred to the case of New Zealand, one of the finest colonial possessions of the British Empire. New Zealand fell into difficulties with its native tribes, and, at a critical moment, the Colonial Office withdrew our troops; and the Government also refused to guarantee a loan for the Colony, until the expression of public opinion in this country forced them to do so. That was not the way to treat our Colonies, which he regarded as an integral portion of the Empire. The United States would have spent every shilling they possessed in putting down the rebellion in the Southern States; and in paying the great Debt incurred in the suppression of that rebellion, they had set us an example which we were afraid to follow. Our Colonies were the heritage of the poor people of this country; and while our population was increasing at the rate of 750,000 yearly, and when there was a scarcity of labour in this country, as when a financial crisis occurred, which meant starvation to tens of thousands of our population, the Government ought to aid emigration to them. Ministers of the Crown had, by unwise legislation, sacrificed those lands in the Colonies which were the inheritance of the people of this country, and some day they would have to answer for it. He would not, however, that night, add to the perplexities of the Government, because he knew that his hon. Friend the Under Secretary for the Colonies was inclined to adopt a conciliatory policy towards them.

Mr. Serjeant SIMON thought the thinness of the House that evening was to some extent a proof of the slight interest which was taken in this important subject. The island of Jamaica, with which his family had been connected for at least two centuries—was an instance of the improvident legislation referred to by the hon. Member for Leith (Mr. Macfie) for, having once been wealthy and highly productive it had sunk into an impoverished state, while the negroes, who at the time of the emancipation were emerging from barbarism, had been plunged again into an almost savage condition. Our colonial policy had been inconsistent; yet he was glad to say that the policy of compelling the Colonies to shift for themselves had been dropped during the last Session or two. Some Colonies might in time become independent; but it would not be possible for the West India islands to do so, since, if separated from this country, they must attach themselves to the United States. The right policy to pursue was that indicated by the Premier last Session, when the right hon. Gentleman said that the links between England and the Colonies should be maintained with as little interference as possible by the Home Government in the affairs of the Colony. The Colonies should not be regarded as outlets merely for our poor population, but men of wealth and position ought to be encouraged to go out to them and carry thither English energy and capital. The notion that a Colony ought to defend itself might be very well as regarded Canada, but applied to the West Indies it was absurd, for there was not in those islands the material out of which a self-protecting body could be formed, and nothing was saved by the removal of troops that had been maintained there to defend the white population against the negroes, who were in much larger numbers. At the same time, such was his detestation of slavery, that he should have preferred to see those Colonies reduced to a wilderness, rather than that they should have continued the system of slavery. Those negroes, however, upon whom we had spent so many millions to emancipate, had since become mere squatters on the land; in fact, the system we had since pursued in respect to them was not honourable to this country. The hon. Member for Leith ought not to press his Motion for a Committee, if the House could be assured that the Premier's policy of last year would be maintained; but he should like to see some guarantee for that, for it must not be forgotten that influence were always being used to induce a Government to modify its plans. In conclusion, he would say that the Colonies ought not to be treated with indifference, but should be regarded as part and parcel of a great Empire, so that every colonist might cherish the sentiments of attachment to the mother country, which he (Mr. Serjeant Simon) knew was uppermost with them, and feel that they were Englishmen.

Mr. KNATCHBULL-HUGESSEN said, that though he could not appeal to a colonial experience equal to that of the hon. and learned Gentleman (Mr. Serjeant Simon) who had just sat down, he did not yield to him in the deep interest he took in all that appertained to the Colonies. He had heard with regret the wide scope which the discussion had taken, because it induced no inconsiderable risk of the object for which the Motion was brought forward being forgotten. He would forbear taking any notice of Fiji, alluded to by the hon. Member for Leith (Mr. Macfie), because Papers had been moved for on that subject, and they would form the matter of subsequent debate in that House. Then, again, emigration was not a subject which the House had a right to expect would be brought forward upon that occasion; and, as there was a Motion standing on the Books with reference to the matter, and which was in most able hands, he hoped the House would not think him disrespectful if he forbore making any speech that night on that part of the question. With regard to the removal of troops, there was much to be said on both sides; but that had been debated before, and no good purpose would be served by re-opening it then. He preferred dealing with the question which had been brought before them, and he took that opportunity of thanking the hon. Member for Leith for the printed exposition of his opinions on colonial subjects, which, in common no doubt with other hon. Members, he had been fortunate enough to receive. The observations to which the House had listened appeared to divide themselves under two heads—the general remarks with regard to the relations of this country and her Colonies, and the Motion for a Select Committee. With respect to the second point, he would at once say that the Government, being satisfied with the relations at present subsisting between this country and her Colonies, were not prepared to delegate to a Select Committee those powers, duties, and responsibilities, which they conceived were adequately discharged by the Department to which they were, at present, specially entrusted; but with regard to the general question, it was his duty to trouble the House at somewhat greater length. His own observation of the opinions entertained on the subject of the Colonies was, that one class of persons spoke of the Colonies as the brightest gems of the British Crown and Great Britain's most precious possessions; while others, of a more modern school, held that all Colonies were, more or less, a source of embarrassment and weakness, as well as of strength; and that the maintenance of the connection not only entailed a burden on the mother country, but checked the growth and development of the Colonies, so that a time might come when separation would be desirable. In studying colonial questions they must not leave out of consideration those different schools of thought. No country could hold distant possessions without their being a source of expense, anxiety, and responsibility. In time of peace, questions would, from time to time, infallibly arise in which the difficulty of reconciling the interests of the Colonies and of the mother country was not inconsiderable, and required the exercise of that prudence, patience, and caution which were among the first qualities of statesmanship. Then, again, in time of war, a distant dependency often afforded temptation to an enemy to strike a blow, through the Colony, at the mother country, whose power at home he might be unable successfully to assail. They would always find men ready to magnify those two evils, and to build on their existence an argument against the desirability of a Colonial Empire; but they were not opinions which had ever been avowed—and he hoped they never would be avowed—by a British Government. It was not difficult to point out some of the advantages which had been derived and were still derivable from the British system of colonization. Take our position as a great trading community. Well, our Colonies had been the means of extending our trade over every part of the world, and had opened markets for us, which would otherwise not only have been shut against us, but unknown to us. Glancing at our geographical situation, with a vigorous and healthy population confined within a limited area, the natural result of our greatly increasing numbers was, that a large emigration annually left our shores, every citizen taking from the parent State something of material wealth and strength. Was it nothing that, when an Englishman thus left his country, instead of being compelled to begin his new existence in a strange land, hearing nothing but a foreign language spoken around him, obliged to adapt himself to alien institutions, and to be gradually weaned from all the memories and associations of the past—was it nothing that an Englishman should find open to him lands in which his native language was spoken as the language of the country, the institutions of England were copied, the name of England cherished as a household word, and everything around him tended to kindle and keep alive within his breast a patriotic affection towards that England to which he still belonged, and in whose power, glory, and prosperity, he still participated? These were not vain imaginative words, for such patriotic feelings did exist throughout our colonial possessions, and they were appreciated and reciprocated by the people of this country. Take Canada, for instance. Canada was a Colony of which we might well be proud; to the federation of her Provinces a year or two ago, and to the confederation of British Columbia, even now in progress—to the great future probably before her, and to her growing prosperity and gradual development, every Englishman must look with pride and satisfaction. The people of Canada were most loyally attached to this country. We read that loyalty amounts to a passion in Canada. Ever and anon we hear of manifestations of the devoted attachment of the Canadian people towards the Throne and institutions of this country, and the House might rest assured that the great true heart of the people of this country went out in ready and responsive sympathy to greet the expression of such feelings, and that it was their will and determination to maintain and cement their connection with their fellow-subjects who, though separated from them by distance of time and space, were united to them by community of interest and identity of affection towards the Throne and free institutions of their common mother country. It might be said that this was true of Canada and of Australia, where a similar spirit prevailed; but that these countries had each a great future before them, and that England might hereafter hope for some equivalent benefit in return for the trouble and expense incurred on their behalf. But what could be said regarding the smaller Colonies? Well, with regard to the smaller Colonies, some of them, indeed, were hardly Colonies, in the strict sense of the word, they were rather naval and military stations, held for Imperial purposes; but to all of them we were bound by honourable engagements. Some of them had been acquired for purposes of trade, some perhaps for philanthropic purposes. It was by their means that our fame and reputation had been heralded throughout the world; they were standing monuments of the energy and enterprize of Englishmen. Through their agency Christianity and civilization had penetrated into regions where they would otherwise have been unknown, and although in many individual instances their pecuniary value to this country might be nothing, or even less than nothing, he was prepared to maintain that their aggregate possession had added a moral weight to England in the councils of the world, which was not to be lightly esteemed, and of which no true friend to his country would wish to deprive her. The hon. Member for Leith wished a Select Committee to be appointed to inquire into our existing relations with these Colonies, and the answer he had to make was this—the Colonial Office was a standing Committee, satisfactory to the country, and, he believed, to the House. This country had shown herself fully alive to the growing importance of colonial business, and it now received full and adequate consideration. Up to 1854, colonial business had been transacted by great Departments of the State, which were also charged with other important business. In that year, a separate Secretary of State, with adequate staff, was appointed for the exclusive transaction of colonial business; and what was the present constitution of that Department? So far as that House was concerned, he felt sensibly the disadvantage entailed by the comparative inexperience in colonial matters of the individual who had charge of the conduct of colonial business then; but he might be permitted to speak of others. It had been his lot for between nine and ten years to labour quietly and unobtrusively in various subordinate offices, under different Governments; he had, therefore, acquired that knowledge which enabled him to gauge the value of official men, and he must say, looking to his noble Friend the Secretary of State and the permanent civil servants in the Office, he had never known a Department of Government better manned with able and industrious public servants. Every colonial question received prompt attention, diligent consideration, and had brought to bear upon it an amount of practical experience and ability which could not fail to be advantageous to all concerned. What did the hon. Member for Leith propose to alter? He proposed some scheme of confederation of which the outward and visible sign was to be a federal council sitting in London, to which England, Scotland, and Ireland should send 13 or 14 members, the Colonies electing 23 or 24, and India 8, so that Great Britain and Ireland might be outvoted by the Colonies. Either this council must be endued with powers so limited as to render it of little real value, or its powers must be so considerable as inevitably to clash with the authority of Parliament and the Executive Government. What improvement was likely to result from such a council? It would effect no improvement whatever in the internal management of the Colonies themselves, and the demand for it had not been endorsed by public opinion either in this country or in the Colonies. What was this council to do? The hon. Member said that he would leave all matters that specially affected the United Kingdom to the British Parliament, and all matters that specially affected the Colonies to their own Legislature and Government. That was exactly what was done now. They did leave as far as possible to the Colonies the management of their own affairs, and any change must be inconvenient, which was in the opposite direction. Surely Canada would never submit that a representative from Natal should interfere in her internal affairs, or the Cape allow a delegate from Jamaica to have a voice in her home government? If they gave the council larger powers, the difficulties would become insuperable. Did the hon. Gentleman think that the Parliament of this country would consent to abrogate its duties in favour of a federal council, or that the people of England would allow questions affecting peace or war to be decided by it? Did the hon. Member think that the people of England would allow the interests of this country to be subject to the decision of any body but their own Legislature? If, on some great question, this council differed from the Executive Government, which was to give way? By such a plan there would be two Governments sitting side by side, and the affairs of the country would be involved in inextricable confusion. If it were to be only a consultative council, it would not be worth anything; and there would then only be a third party interposed between the English Government and the Colonies, and the result would be the introduction of a system of delay, which could not be other than inconvenient. It might be said that no harm would result from the appointment of a Select Committee; but he thought great harm would follow from it. Such a Select Committee would be misinterpreted out-of-doors, and would, moreover, give rise to uneasiness in the minds of the colonists, and create an uncertainty which might be injurious, as to the intentions of the Government. The Government did not wish to wrap up their policy in doubt or ambiguity: the policy of the Government was clear, plain, and simple, and it found its best exposition under the present system, through the agency of the Colonial Office. The policy of the Government was to retain and preserve the connection between the mother country and the Colonies, basing always that connection on the sure and sound foundation of mutual good and the promotion of mutual interests. In furtherance of that policy it was the duty of the Colonial Office to consider every question that arose with a sincere desire to consult the wishes of the Colonies themselves, and to reconcile colonial and Imperial interests; it being understood that if the Colonies had a right to expect protection from the forces of the Empire they must also consent to submit to the policy of the Empire. It was the duty of the Colonial Office to exercise a careful supervision over the colonial expenditure in Colonies where such supervision was necessary; to promote economy in the administration of the colonial revenues; to direct and advise the colonial Legislatures, whenever direction and advice might be useful; and continually to promote and develop that spirit of self-reliance and energy, without which neither an individual nor a community could hope to be permanently prosperous. Self-reliance did not mean separate existence, for a Colony might be great and self-reliant, and still maintain an intimate connection with the mother country. The Government wished to retain the Colonies; but they wished to retain them bound to this country by ties of kindred and affection. They were sometimes taunted with having told the Colonies that they might go free if they pleased. [*Opposition cheers.*] He understood those cheers; but were hon. Gentlemen who used those taunts prepared to say that when a Colony had become so great and powerful as to desire an independent existence, they would employ the force of the Empire to retain it? If the Colonies desired to remain with the mother country, that was also the earnest desire of the Government; but they were also resolved so to shape their policy that if the time came when any Colony desired a separate existence, then, if separation was inevitable, this country would be able to part with it not without regret, but with the assurance that the separation not being caused by any fault, folly, or harshness on our part, we should only substitute for a loyal dependency a faithful and powerful ally. On his conscience he believed that of all courses this was the one most likely to retain with us our great and growing Colonies. Let them feel that there was nothing to be gained by separation; let them have nothing to complain of; let them see that we regarded them as brethren, made their interests our own, and viewed their increasing power and prosperity not only without jealousy, but with real and cordial satisfaction, and he believed their hearts would be more and more closely knit to us, and they would still make it their boast to rank with us as fellow subjects of the same Sovereign and citizens of the same Empire. This was the policy of the Government: it was no new policy; it was no party policy. It had been endorsed by successive Governments, confirmed by the votes of Parliament, ratified by the opinion of the Colonists themselves, and approved by the intelligence of the people of this country. Such a policy did not require to be supported by the inquiries of a Select Committee. It was able to stand alone. But the hon. Member wanted something more, and he alluded to a scheme of confederation. Now, he was not going to prophesy, for it was never the act of a wise man to prophesy; but he confessed that there had sometimes floated before his mind a vision of a confederation of all English speaking people, bound together by a tie too light to be galling or oppressive, but too strong to be broken by hostile attack. But for the realization of any such vision they must wait for the development of the still distant future. In the present their duty was manfully to do the best work they could with the instruments ready to their hand. And there was much work to be done, for there were Colonies yet, comparatively speaking, in their infancy, still learning the first lessons of self-government, and with their resources as yet only partially developed; their growth, their development, their progress on the path of prosperity might all be accomplished under the existing system. Let the hon. Gentleman doubt the power, but not the goodwill of the Government to aid in this accomplishment; let him and those who were specially interested in the Colonies keep a vigilant eye upon the Colonial Office, and, if they found it failing in its duties, let them call it to the bar of public opinion and impugn its conduct in that House. He courted Parliamentary criticism, he invited Parliamentary discussion, he would assist to his utmost in promoting Colonial development, and the hon. Member might be assured that the Government, in refusing his Motion for a Select Committee, did not do so with any hostile spirit towards the Colonies, but because they believed that without any such inquiry as that proposed, and by the agency of the present system, they would be able to carry out that policy, the object of which was at once to advance the prosperity of the Colonies and maintain the integrity of the British Empire.

Mr. BAILLIE COCHRANE said, he had given up all intention of addressing the House that night; but, after the speech of the hon. Gentleman opposite, the Under Secretary of State for the Colonies, he could not refrain from expressing what he held to be the general feeling of the House—that he had listened with great satisfaction to the observations which had just fallen from that hon. Gentleman, and which were worthy of an English Colonial Minister. The hon. Gentleman referred to the prevalent impression in the House and the country that the Government regarded with indifference the interests of our Colonial Empire, and that their separation would occasion little regret. That impression had certainly existed in the country; for Earl Russell, when moving for a Royal Commission last year, alluded to that feeling as an apology for the Motion; Earl Grey also referred to the same impression; and the authority of the late Sir William Denison, than whom no man had greater colonial experience, might also be cited respecting the apathy which had been said to prevail at home in regard to colonial interests; but the speech of the hon. Gentleman would, however, go far to remove that unfavourable impression. He admired the speech of the hon. Gentleman for its whole tone; it was a deprecation of that ridicule which had from time to time been thrown on the word "prestige." The Lord Chancellor, the other day at the Mansion House, had made a speech in which he ridiculed the word; but the prestige of a country was the respect which that country received from other nations and the regard it paid to its own self-respect. He would illustrate what he meant by an example. In our Australian Colonies, where a number of French colonists resided, there had been sent out, from time to time, by the late Emperor of the French, presents to the Colonies, which showed the interest he took in them. He had sent them valuable presents of books, and his portrait had been put up in public halls. Contrasted with that interest, which his late Majesty had shown in the French families in one of our own Colonies, was the policy which was pursued by our own Government; for it was with the greatest difficulty that one or two of the Colonies had been allowed to receive our Parliamentary publications. With respect to the most important question of the withdrawal of the troops, there could be nothing more inconsistent than our conduct in connection with that policy. In 1830, the whole of our expenditure for the Colonies was £1,200,000 a-year; and, in 1852, it had risen to £4,000,000 a-year. Earl Grey, in 1852, had introduced the subject of the withdrawal of the troops in "another place," and at the present time there was not in the whole of the Colonies above four regiments. Though he did not wish to dispute the policy of the withdrawal of troops, he could not but ask if they were not carrying the policy too far. Any man who had lived in the Colonies would tell how great the interest of the colonists was in seeing the arrivals of the English regiments; they said now—"We have lost them all now, and we have only one link left—the connection with Government."

MR. GREENE appealed to the hon. Gentleman who had brought this subject before the House, to pause before he interfered with the Colonies in the manner he proposed to do.

MR. MACFIE said, he would beg leave to withdraw his Motion, believing that the House would be quite satisfied with the very gratifying statement of the hon. Gentleman the Under Secretary for the Colonies, and that the Colonies themselves would be equally gratified.

Amendment, by leave, *withdrawn.*

INDIA—NAWAB OF TONK.

MOTION FOR A SELECT COMMITTEE.

MR. R. N. FOWLER rose to move the Resolution of which he had given Notice—

> "That a Select Committee be appointed to inquire into whether the procedure adopted in the case of the Nawab of Tonk is conformable to recognized principles of justice, and calculated to insure that a right decision be arrived at,"

but said that, as the House was aware, the hon. Member for Gravesend (Sir Charles Wingfield) had an Amendment proposing to refer the question to the Judicial Committee of the Privy Council, and if Her Majesty's Government would accept that Amendment, he should be very willing to withdraw his own Motion in favour of it. The Nawab of Tonk might or might not have been unjustly treated; but at any rate he had been treated without any thorough investigation of his case. The Nawab of Tonk was a Mahommedan Prince whose territory was situated in the midst of the Rajpoot States, and the Rajpoots being Hindoos, the difference of religious opinion led to dissensions. The father of the Nawab stood loyally by England in our troubles in 1857, for which we owed him a debt of gratitude. In 1866 Lord Lawrence held a Durbar at Agra, and recommended reforms, which were carried out by the Nawab. The causes which led to the dethronement of the Nawab were these—The Chief of Lawa was the greatest tributary of the Nawab, and was stated to have been a notorious freebooter. He was a Hindoo, and difficulties had arisen between him and his Sovereign. He was invited to Tonk by Hukeem Surwah Shah, the Nawab's

Prime Minister, and proceeded there at the end of July, 1867. It was alleged on the Lawa side that on the evening of the 1st of August he was summoned to the house of the Hukeem, that he did not go himself, but deputed his uncle, Rewut Singh, and his cousin, with 16 officers and retainers, who were attacked in the Prime Minister's house, and all, except one man, were treacherously murdered. On the other hand, it was stated by the people of Tonk that Rewut Singh and his party spontaneously went to the Hukeem's house, and attempted to force an entrance, after being informed that Surwah Shah was too ill to see them; that an affray sprung up, a general *melée* ensued, and that the Thakoor and nine of the Lawa party were killed, while seven were sacrificed by the Tonk people. The occurrence was investigated by Captain Bruce, who acquitted the Prime Minister of any intention except to seize some of the Lawa people. Colonel Eden, on the other hand, held there was a treacherous intention on the part of the Tonk authorities. Lord Lawrence adopted Colonel Eden's view, and decided that Lawa should be detached from Tonk, that the Nawab should be dethroned, and that his son should be substituted for him. In addition to this, the Prime Minister, Surwah Shah, not being a British subject, was imprisoned in the fortress of Chunar, the hottest place in India. Lord Lawrence's decision was confirmed by my right hon. Friend the Member for North Devon (Sir Stafford Northcote). Now, the Nawab asserted that he was ready to give a complete and satisfactory answer to all the charges made against him. It appeared to him that this Prince had been condemned by a secret tribunal worthy of the worst days of the Council of Ten, while the evidence on which the judgment was founded was of a character as contradictory as that which is now exercising the learning of a Court on the other side of Westminster Hall, and might well task the judicial acumen of the most eminent lawyers. And yet it was only sifted by men who, though distinguished in the military profession, were unused to judicial inquiries. Captain Bruce acquitted the Nawab of the charge; and his opinion was overruled by Colonel Eden. He (Mr. Fowler) thought, therefore, that the case deserved to be investigated by men of legal experience. Another question he had to submit to the House was—Was the Nawab an independent Prince, or a British subject? If he was independent, what right had we to interfere? If he was a British subject, what right had we to refuse him a fair trial? The fact seemed to be that Colonel Eden condemned him, Lord Lawrence supported Colonel Eden, and the Secretaries of State and Lord Mayo followed Lord Lawrence. Now, he did not think that this House was bound by Colonel Eden's decision. Nor were the Government bound to uphold the conduct of their officials whatever the circumstances. He did not ask the House to give an opinion on the guilt or the innocence of the Nawab of Tonk in regard to the charges made against him; but he did ask them to give him that which every subject of of Her Majesty, and everyone under British protection was entitled to—an impartial trial. He asked for this unfortunate Prince a fair field and no favour; and, believing in the justice of Englishmen, believing especially in the justice of that House, he submitted his Motion to their consideration with confidence. The hon. Member concluded by moving his Resolution.

Mr. MORRISON, in seconding the Motion, said, the chief facts of the case were these. The fray took place on August 1st. Captain Bruce arrived in Tonk on the 15th, and reported on the 26th; and that Report was the ground of the decision arrived at; and though a parade might be made of the agreement of Colonel Eden, the Governor General in Council, and two Secretaries of State, practically they would find that they confirmed the opinion arrived at by Captain Bruce; and in his Report presented to Parliament they had the whole grounds of their decision, and were capable themselves of coming to an independent judgment on it. Now, Captain Bruce came to the conclusion that the ex-Nawab was guilty of endeavouring to entrap the Thakoor, but that the Minister was responsible for the murder alone, while Colonel Eden argued that the Nawab must have been privy to the whole plot. The hon. Member proceeded to examine and comment upon the statements contained in the Papers laid before Parliament, and said that if, as he thought he had proved, Captain Bruce had shown, within the four corners of his Report, his deficiency of the power of seeing obvious and patent flaws in the evidence, the House should pause before they accepted his decision as final, and deprived the Nawab of his throne, and consigned his Minister, Surwah Shah, to life imprisonment, on evidence which would not, in an English Court, convict the humblest criminal. Had he been a Native of the British territory in India he would have had the opportunity of cross-examining witnesses face to face, and all the protection of the forms of law; and, whatever the truth might be, there seemed to him ground for an examination afresh into the whole case, either through a Committee of the House, or, as proposed by the hon. Member for Gravesend, by the agency of the Judicial Committee of the Privy Council.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire whether the procedure adopted in the case of the Nawab of Tonk was conformable to recognised principles of justice, and calculated to ensure a right decision being arrived at,"—(*Mr. Robert Fowler,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir CHARLES WINGFIELD, who had given notice of an Amendment—

"That an humble Address be presented to Her Majesty, praying Her to refer the case of the Nawab of Tonk for consideration by the Judicial Committee of the Privy Council, under the provisions of the Act of the 3rd and 4th years of Will. 4, c. 41, s. 4, commonly called the Privy Council Act,"

said, he did not mean to pronounce an opinion as to the nature of the occurrence which led to the deposition of the Nawab, nor as to what degree of culpability, if any, attached to him—he confessed himself quite unequal to the task; but, looking at the conflicting nature of the testimony, and to the fact that the conclusion which had been formed adverse to him rested entirely on presumption, he was of opinion that the case was one which a judicial authority was alone competent to deal with. Briefly stated, the Lawa story was that they were invited to the Minister's house, and there treacherously murdered. The Tonk story was that the Lawa people came uninvited, and that a quarrel ensued, which ended in loss of life. If the Lawa version was correct, there had been an act of foul treachery and murder. If the Tonk version was the true one the affair was merely an affray, for which the Nawab could not be in the slightest degree responsible. The hon. Member for Falmouth (Mr. R. N. Fowler) had explained the course of procedure adopted. The Political Agent and the Governor-General both submitted Reports on the subject. They both admit there is no judicial proof; and they both agree in thinking that the Lawa party were invited to the Minister's house with the Nawab's sanction; but while Captain Bruce thinks the intention was only to secure their persons, and there was no intention to kill them, and that the loss of life ensued from the bungling execution of the plot, Colonel Eden comes to the conclusion that the purpose of the invitation to the Minister's house was to murder them, and they were massacred in pursuance of this design. The Government of India adopts the conclusion of Colonel Eden, and the Secretary of State says he has no reason to doubt this is the right one, and approves the deposition of the Nawab. Now, it was merely but fair, before condemning the Nawab, to send him copies of the Reports of Captain Bruce and Colonel Eden, and to allow him to offer any explanation or defence to the conclusions therein formed of his guilt. But it was not till one year after he had been deposed that copies were furnished to him. The hon. Baronet having reviewed the facts as detailed in the Reports, and the competency of the officers engaged in the investigation, said he had now to ask the House to contrast the course pursued in this case with that which would have been adopted had this occurrence taken place in British territory, and the parties had been British subjects. An experienced magistrate, who had passed examinations on the Law of Evidence and the Criminal Procedure Code, would have conducted the preliminary investigations; the case would have been tried by the district judge, a judicial officer of many years standing; counsel would have been heard on both sides; then it would have been submitted, either on appeal or for final orders, to the High Court of Justice, composed of barristers and civilian Judges. Finally, the Executive Government could, on review of the proceedings, have exercised, had it seen fit, its prerogative of pardon or mitigation of punishment. Of course, the Nawab, being an independent Prince, could not have been tried in the British Courts; but that was no reason why the common safeguards of justice should have been denied to him which were accorded to the meanest British subject. He thought the Government should have appointed a Commission of one or more Judges to hear and pronounce an opinion on the case; or they might have referred the Reports of Captain Bruce and Colonel Eden for the opinion of one of the High Courts, at the same time allowing the Nawab to be heard by counsel in his defence, before coming to a decision in the case. It was now too late to take this course in India, but it was not too late to obtain a judicial opinion from one of the highest and most competent judicial tribunals in this country—the Judicial Committee of the Privy Council. He did not think a Committee of this House possessed the necessary qualifications to deal with a case of this kind, whereas the Judicial Committee of the Privy Council did possess these qualifications in the highest degree, numbering as it did among its members Judges who had presided over the Supreme and High Courts of the Presidencies, and had been accustomed to weigh native testimony. It would, perhaps, be said that this course would not be acceptable to the native Princes themselves, because it would be to make them amenable to a municipal court, and thereby derogate from their independence. But a moment's reflection would show that he did not propose to subject the Nawab to the jurisdiction of a Court of Law—he only asked that the Executive Government should be guided in its decision in a most difficult judicial case by the best judicial advice available; indeed, it was a sufficient answer to say that the Nawab in his appeal to this House asked that a Commission might be appointed to hear his case, and he (Sir Charles Wingfield) knew his representatives in this country would gladly accept a reference of the case to the Judicial Committee of the Privy Council as he proposed. But it might also be said that to adopt that course would be to restrict the exercise of the Sovereign and paramount power of the British Government over the feudatory Princes which was so essential to the preservation of peace in India. Now, there would be force in this argument if the offence with which the Nawab was charged was one against the British Government; that was to say, if he had been accused of treason or disloyalty to the Government. In such a case the Government could allow no one but itself to be judge. But the offence with which he was charged was one against his own subjects; it was essentially a criminal, not a political offence. The distinction was clear, and in practice it would be always easy to draw the line. Lastly, it might be said that the authority of the Government of India would be weakened if the decisions of two Governors General and two Secretaries of State were to be submitted to review by even so high a body as the Judicial Committee of the Privy Council. Now, in the first place, he demurred to the orders of the present Governors General and Secretaries of State in the appeal of the Nawab being treated as decisions. Naturally they would be averse to reversing the decisions of their predecessors. But, secondly, he emphatically protested against the doctrine that the authority of the Indian Government could be impaired by giving a man the opportunity, which had as yet been denied him, of defending himself against a charge on which he had been punished without a hearing, or by recognizing an injustice if he had sustained any. Ever since the assumption of the Government of India by the Crown, the chiefs and people of India had looked on Her Majesty as the authority to whom they could in last resort apply for the redress of grievances; and this feeling on their part was one to be encouraged rather than repressed, because it was a safety-valve against discontent and the sense of wrong, which, if denied a legitimate outlet, might ultimately find vent in insurrection. The doctrine that the Governor General must be supported at all risks, however questionable, or even indefensible, his act, was one which, if it could ever justly be maintained, was quite untenable at the present day, when education had given the upper classes a sense of their legal rights, and the freest criticism of the acts of the authorities was permitted in the public press, and it had, in fact, in numerous instances been set aside. He was informed that he could not, in accordance with the forms of the House, move the Amendment of which he had given Notice; but he hoped Her Majesty's Government would not object to adopt it. So strongly, however, did he feel that the Nawab had not had fair treatment, and that, if his prayer to be allowed the hearing which had improperly been denied to him was refused, it would shake the confidence of the chiefs and gentry of India in the justice of the British nation, of which they entertained so high an opinion now, that if Her Majesty's Government refused to accept his Amendment, he should vote for the Motion of his hon. Friend the Member for Falmouth, if he went to a division—as he hoped he would.

Sir EDWARD COLEBROOKE moved the adjournment of the debate. The Motion had been brought forward under circumstances which made it impossible to discuss it fairly and fully, for there were papers bearing upon the case which were not yet before Parliament, and the right hon. Member for Devonshire (Sir Stafford Northcote), who shared part of the responsibility, was not now in the country, and therefore not in a position to offer any explanations to the House. The question was, whether the principles of justice had been maintained in the manner in which the inquiry was conducted, and he confessed that, on the face of it, it did seem hard that a Sovereign Prince should be dethroned on an inquiry conducted by a subordinate officer; but the whole question was so intricate and so difficult that it should not be decided upon while there was further information yet to be obtained with regard to it.

Mr. STEPHEN CAVE said, that complaints had been made of the way in which the case of the Nawab had been tried; but the House was now trying the Member for North Devon, who was responsible for this matter, and was in a distant land on public business, and unable to answer for himself. He quite admitted that the Princes of India should feel that they could appeal to Parliament; but the House would do wrong unless they could discuss the question fully and carry it to an issue, and that could not be done in the absence of his right hon. Friend the Member for North Devon.

Mr. BECKETT DENISON also urged that the debate should be adjourned.

Debate *adjourned* till *Monday* next.

WAYS AND MEANS.

Resolution [May 11] *reported;*

"That, towards making good the Supply granted to Her Majesty, the sum of £7,000,000 be granted out of the Consolidated Fund of the United Kingdom."

Resolution *agreed to*:—Bill *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Baxter.

House adjourned at a Quarter after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 15th May, 1871.

MINUTES.]—Public Bills—*First Reading*—Canada * (112); Juries (Ireland) * (113).
Second Reading—Ewelme Rectory * (82).
Committee—Trades Unions * (68-114); Criminal Law Amendment (Violence, Threats, &c.) (69-115).
Third Reading — County Justices Qualification Amendment * (108); Metropolitan Poor Act (1867) Amendment * (97), and *passed.*

THE ROYAL MINT—THE CHLORINE PROCESS.—EXPLANATION.

The Marquess of LANSDOWNE, referring to a recent statement by a noble Lord (Lord Kinnaird) that this process for toughening and refining gold was the invention of Dr. Percy, said a letter had been addressed by that gentlemen to a Member of the Government. In this letter Dr. Percy entirely repudiated any such claim, stating that the merit of the invention, as far as he knew, was exclusively due to Mr. F. Bowyer Miller. It was only due to Mr. Miller that this should be publicly mentioned, as his reputation might otherwise be injured in the Colony to which he belonged.

Lord KINNAIRD explained that his statement was made on the authority of Dr. Percy himself, as mentioned in the British Association Reports for 1848.

CRIMINAL LAW AMENDMENT (VIOLENCE, THREATS, &c.) BILL.

(*The Earl of Morley.*)

[nos. 69-115.] COMMITTEE.

House in Committee (according to Order).

Clause 1 (Penalty for threats, molestation, and obstruction).

LORD CAIRNS said, this was one of the most important parts of the Bill. They had just passed through Committee that portion of the original Bill which had been entitled the Trades Unions Bill, by which it was proposed to give very considerable advantages to trades unions on points on which they had not hitherto had the protection of the law; and by the Bill now before them it was proposed to give a correlative protection to those who did not belong to trades unions. He reminded their Lordships that it was now proposed to repeal the statute of 1825, which was at present the only protection against offences of the kind dealt with by the present Bill. That statute was couched in very general terms, providing that to molest or obstruct any person going to or returning from work should be guilty of a misdemeanour, and, he believed, so far as he had learned from employers of labour, and from workmen who were not members of trades unions, they would be well content to allow their protection to rest on that statute. But when that statute was repealed there would be no protection against molestation except such protection as might be given by the present Bill. The statute of 1825 did not define what molestation was, and while the law stood on that statute it was left to magistrates and juries to say whether the molestation was or was not accomplished for illegal purposes. But by the 1st clause of this Bill some two or three kinds only of molestation were defined, the clause leaving uncovered the whole field of molestation in all other respects. The clause provided that the persistently following a person from place to place, the hiding his tools, and the watching or besetting with two or more other persons the place where he resides or works, shall be deemed molestation or obstruction. So that anyone who could devise and practised any other mode of annoyance would be able to do so without punishment, because it was expressly provided that only the particular things named in the clause, and "no other cases," should be punishable. There were other acts of molestation or obstruction quite as injurious as those particular acts named in the section; but still, not coming within the definition, there would be no offence. He should propose to leave out the words, "and in no other case." As to "picketing" or watching workshops, as the clause now stood, there must be three persons so employed in order to constitute an offence, though precisely the same result, so far as the watching was concerned, might be attained by only two persons being employed. He should propose to amend the third sub-section by substituting words in the sense he had indicated. In conclusion, he formally moved to omit the words "and in no other cases."

THE EARL OF MORLEY said, that the words "molestation" and "obstruction" had been so vaguely and uncertainly defined—black looks and rough words having been sometimes included—that it was necessary to give them a stricter interpretation. Picketing was to some extent permissible and legitimate, for unless the men entering or leaving a factory were watched, and their names taken down, they might pretend that they were on strike and draw pay on this plea from the union, and unless it was accompanied by such threats or intimidation as would reasonably prevent persons from going to or accepting work, was not illegal, and ought not to be made so. It was impossible, moreover, for less than three persons to watch works of large size with several entrances. It might be well to lay down no test of numbers with regard to watching or besetting a workman's residence, as this was a different thing to watching a factory; but he objected to the noble and learned Lord's Amendment as one which would create a new offence.

LORD CHELMSFORD pointed out that, whether the words "and in no other case" were retained or not, the operation of the clause would be restricted to the three cases specified therein. *Expressio unius exclusio alterius.*

THE EARL OF DERBY reminded the Committee that the Amendment of his noble and learned Friend would not make the mere watching or besetting illegal, the whole clause being governed by words which provided that there should be an intent to coerce. It would have been desirable to define this intent, but the Bill would leave this to the administrators of the law. It was obvious that the number of persons was no test at all. Half-a-dozen persons might carry on a watch very quietly, while one or two persons might so conduct themselves as to produce terror and intimidation.

THE LORD CHANCELLOR said, he would admit that the omission or retention of the words first objected to was immaterial, but he thought that number was some test, because one person could not be supposed to exercise coercion, whereas the assemblage of three persons afforded a presumption of coercion being intended. Moreover, though the Act of George IV., which had led to considerable difficulty, was repealed, other Acts would remain in force which would cover offences not included in this Bill.

LORD CAIRNS said, that if the clause were passed as it now stood it would amount to a legislative declaration that no other acts than those named in the clause should be held to be molestation or obstruction, and the consequence would be that some other form of obstruction or molestation would be thought of; and when application was made to the Legislature to correct this there would be the answer that there was a legislative declaration that nothing but the particular acts named should amount to molestation or obstruction. He denied that his Amendment would create any new offence as compared with the clause as it now stood. The only point of difference between them was as to whether it should require three or only two persons to complete the offence. He admitted that peaceable watching was not illegal, for there must be an intent to coerce. The noble Earl seemed to think that the works in question were so extensive that the entrances could not be watched by one or two persons; but they had also to consider the cases of small factories which had only one or two entrances, and could be watched by one or two persons.

After a few words from the Earl of MORLEY and Lord CHELMSFORD, the Amendment was *agreed to.*

LORD CAIRNS then moved to leave out the sub-section 3, in order to insert—

> "If he watch or beset the house or other place where such person resides or works or happens to be, or the approach to such house or place, or if with two or more other persons he follow such person in a disorderly manner in or through any street or road."

EARL GREY preferred the clause as it stood. He wished subsequently to propose an Amendment which would meet a very serious form of intimidation—namely, the attempt, by assembling before a factory, to prevent new hands from entering it. This was not at present provided for.

Amendment *agreed to.*

EARL GREY, in order to carry out the suggestion he had made, moved to insert after "works" (or carries on business").

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Further Amendments made.

The Report of the Amendments to be received *To-morrow;* and Bill to be *printed*, as amended. (No. 115).

TREATY OF PARIS, 1856.

MOTION FOR AN ADDRESS.

LORD CAMPBELL rose to call attention to the Protocols of Conferences held in London respecting the Treaty of 30th March, 1856, and to move for any consular reports of the steps which the Russian Government are taking to form the Maritime and Military Arsenals which Clause 13 had prohibited. The noble Lord said he would, in the first place, point to the fact, that a debate of some kind on that subject was inevitable. The Protocols upon the Conference had been delivered before Easter, and it was necessary that a short interval should follow to give the Opposition time, if they deemed fit, to institute a Motion. The moment, therefore, was not an improper one for now adverting to the subject. During the autumn the foreign policy of the Government had been frequently and seriously questioned. The resignation of the Under Secretary (Mr. Otway), because he was not able to defend it, might be regarded as the climax of the discontent it had occasioned. At the same time, he (Lord Campbell) was ready to acquit the Government on some points where the arraignment had been strong, and where, as yet, they had been rather feebly defended. He did not blame them as regarded the origin of the war, or the refusal to interfere during its progress; or the mission of Mr. Odo Russell to Versailles; or even the adoption of the Conference. He would not go along with the more limited assailants who condemned them because the Conference had ended in giving up the best results of the Crimean War, if it could be shown that a *bonâ fide,* honourable effort to maintain them had occurred. Whether it had or not, the Protocols would tell them. No doubt could exist as to the duty of Great Britain in the Conference—namely, to make a strenuous exertion to preserve the restrictions of the naval power of Russia in the Black Sea, by which the security of Turkey was upheld after the war in the Crimea. It became clear, at least, on those considerations. The noble Earl the Secretary of State, Mr. Odo Russell, and Count Bismarck, all at different times, insisted that the Conference could only be accepted on the condition of perfect freedom to deliberate; perfect freedom to accept; perfect freedom to reject; perfect freedom to reduce or modify the Russian proposition. But, unless there was a real debate, before it was embraced, a foregone conclusion would be apparent on the surface, and the Government would be thus condemned by its own language. Besides that, it was in order to effect a limitation of the Russian naval force in the Black Sea that the second campaign — for there were two distinct campaigns — was undertaken against Russia. The despatch of Lord Clarendon when Turkey was evacuated; the Conferences at Vienna in 1855, which broke off on this point; the debates in Parliament which followed; the terms of pacification Austria threw out, in which these restrictions were included, would all convince impartial minds upon the subject. The fact was, men differed as to whether it was wise to go into Russian territory, and to convert the war from defence to aggression; but they agreed as to the object of such a line if it were taken. There were two great modes of thinking at the period. One held that the war should finish because Turkey was delivered; the other recommended perseverance in it, that Turkey might always be secure. None said—"Go into the Crimea for ephemeral and transitory purposes." None said—"Sebastopol ought to be destroyed, that in 15 years it might rise again, at once a menace and a satire." None said — "We ought, if we land, to leave no traces of our arms, beyond the tombs of those who gloriously carried them." Such a view would have been scouted, by those who leant to peace, for its inhuman recklessness of bloodshed; by those who leant to further sacrifices, for its pusillanimous indifference to the objects further sacrifices might entail. To effect the limitation of Russian power in the Black Sea it would be correct to say, therefore, that the slopes behind the Alma were ascended, the horrors of Inkerman sustained, and, after efforts which deserved Homeric illustration, Sebastopol eventually taken. To accomplish that result the Earl of Aberdeen was driven from his office to oblivion; the Duke of Newcastle pursued with popular reproaches, until he sought a refuge among the battlefields which he had recently directed; and Lord Palmerston, who had been relegated to a kind of penal servitude in the most obscure offices of the State, became a general dictator. If in pursuit of that object, the British public went on with unflagging zeal and with indomitable spirit through such heroic feats and perilous vicissitudes, what was the clear duty of those who had to represent it at the Conference? It was to guard the limitation; to array the other Powers in its favour; or if that was too high a task, to modify and alter, without entirely renouncing it; and should concession be inevitable, to yield gradually and firmly, like skirmishers retreating on a line, or outposts falling back on an encampment, in such a manner as to show that no alternative was possible. The question to be examined was, how far that duty was fulfilled. As the Conference met only six times, the examination needed not to be a long one. On the first day, a principle was laid down with regard to the inviolability of treaties, and much credit had been taken for it; but its reality or hollowness depended entirely on the subsequent proceedings. There was no withdrawal of the Circular of Prince Gortchakoff, by which Europe had been startled, although Mr. Odo Russell had before assumed the necessity of such a measure. Prussia, at that meeting, distinctly stated her intention to uphold the Russian claim. It was, therefore, with a foregone conclusion that Prussia proposed the Conference, and entered it. Everything most decisive appeared in the next Protocol. Russia desired to put an end to the limitation of her naval power in the Black Sea, in terms which showed a conscious weakness in the argument put forward. The only reason given was, that Russia and Turkey were both affected by the limitation in their sovereignty. But as soon as Turkey, through her Plenipotentiary, insisted on the advantage of the limitation, and disclaimed the in-dignity connected with it, which must be common to both Powers if it fell on either, the Russian case was seen to vanish altogether. Turkey was ready to give up the limitations if she was alone; to maintain them if she was supported. Having given her opinion in favour of the Treaty as it stood, she disclaimed responsibility, and left the question for the other Powers to determine. Great Britain transformed such a hesitating, contingent, and reluctant declaration into "the definite resolution of the Porte," when no such resolution had been hinted at. The other Powers followed the line adopted by the British Representative. The reproach of yielding was thrown by Turkey on the Powers, and by the Powers upon Turkey. Everyone must admit such a circle was logically vicious; but that phrase would not denote the moral hue of the transaction. The noble Earl the Secretary of State could only act on the instructions of the Cabinet who sent him. It was not with any view to personal reflection, he inquired, could international hypocrisy go further than to employ, as reasons for not upholding Turkey in her object and her argument, the concessions which Turkey was prepared to make in the event of being deserted? Without any further struggle or exertion, on the ground of the Turkish Declaration, which never sanctioned such a course, which, on the contrary, explained its inconveniences, the substantial clauses of the Treaty were abandoned. Maritime and military arsenals might rise again upon the coasts of the Black Sea, the whole fleet of Russia re-appear upon its waters. In the next meeting there occurred the only semblance of debate which happened in the Conference. The Turkish Plenipotentiary desired to extend the power of calling foreign fleets into the Bosphorus, so that they might come from the Black Sea, or from beyond it. To explain the view of Turkey on that point would require a longer detail than he wished to go into at present. He alluded to it, only that the noble Earl the Secretary of State might not lose whatever praise he was entitled to. With proper firmness he resisted a dangerous proposition. In the fourth meeting, the new clauses were adopted. In the fifth, which was most critical, the French Ambassador arrived and found that everything had been settled in his absence. He simply concurred in the irrevocable, while he disapproved it. It was true that from the moment Turkey acquiesced, he thought it right to acquiesce. But Turkey only gave her acquiescence on the ground of being alone; had the French Ambassador been there, her isolation might have been averted. The last Protocol he need not dwell upon at all, as it was merely ceremonial. It might excite the blushes of the noble Earl the Secretary of State, to hear again the various acknowledgments his courtesy elicited. The tone of general congratulation which ran through the proceedings, would seem nearly to imply that the object of an European Conference was, with the greatest possible despatch, to sacrifice the interest of Europe. The Protocols suggested most forcibly these questions—Why was Turkey unsupported in her answer to the Russian statement and her vindication of the Treaty; why was her forced submission cited as if it had been genuine and voluntary; why was the whole bent of the Conference a systematic register of the foregone conclusion which was previously disclaimed? Above all, why was the decision come to before the Duc de Broglie had arrived? There was no ground for hurry, and there was a reason for delay. Why was no middle term, if possible, insisted on? The naval power of Russia in the Black Sea might have been limited, although not to the extent to which the Treaty of 1856 reduced it. Unless he was deceived, Her Majesty's Government would show but little inclination to reply to questions of that nature. They would be rather apt to dwell on the equivalents they had obtained, as an atonement for everything damaging the history of the Conference exhibited. No doubt, by the new arrangements, Turkey had the power of calling friendly fleets into the Dardanelles, should the Treaty seem to be endangered, although war had not been declared. The shortest comment on the value of that privilege resided in a single fact, which must have once been known to their Lordships. During the disaster of Sinope, which arose from the collision of Turkish and Russian fleets in the Black Sea, the vessels of France and England were in the waters of the Dardanelles. Of what advantage was their presence there? The right to enter the Dardanelles was one thing, the opportunity of reaching the Black Sea was another. The vice of the equivalent was, that it only began to work where Russia had already fixed her counsels for aggression, whereas the former Treaty stopped them altogether. It might, to some extent, be a security to Constantinople against Russia; but it was no security to Western Europe against a war for its defence. Again, the country had a right to ask—Could not an advantage so precarious and limited have been obtained before they went to the Crimea, when Silistria was relieved? If it could, men, horses, guns, blood, treasure, reputation, had all been squandered on the cemetery which they founded. Those results would, he thought, be attributed to the Conference, by anyone who took a fair and steady view of the transaction. A triumph had been gained where none ought to have happened, and the Russian Circular had been crowned with a success which ought to have been wanting to it. The risk of war was greater than it was from co-existing fleets in the Black Sea, and the revived ambition of St. Petersburg. A new and grave expenditure was fastened upon Turkey. The Western Powers would be obliged to keep considerable fleets about the Archipelago. The Supplemental Treaty of April 15, 1856, by which France, Austria, and Great Britain guaranteed the substance of the former one—now that substance was impaired—had received a blow which weakened, perhaps effaced, its validity. And as that Supplemental Treaty was an instrument for solving many difficulties Europe might present, and among the brightest trophies we derived from the Crimea, by that result and by the others, the prestige of the country had been lowered. But a great authority in that House had recently contested the utility of prestige. In a speech which had been widely noticed, the noble and learned Lord upon the Woolsack had proposed to banish the word from their vocabulary, in order to put an end to what it represented in their system. The noble and learned Lord had even questioned its existence, and challenged all who ventured, to believe in it. Among them, he should view prestige as the unseen and unexerted power which the memory of great actions and the possession of great resources furnished to States, or, even, individuals. It formed the very essence of a Monarchy, when it had ceased to be despotic, and ought not to be lightly questioned by one who guarded the conscience of a Sovereign. It enabled the Executive by some hundred thousand constables to keep millions in tranquillity. It gave to the First Napoleon the secret of advancing without an army upon Paris after Elba. Was there not, therefore, an existence, in that subtle atmosphere of immaterial authority, by which force might be subdued, and even empires recovered? But if there was, to what State was it more important than to one which could not put 100,000 men upon the Continent of Europe, whose fleet was unequal to that of Russia and America united, while she was bound to defend Belgium by engagements, the Netherlands by policy, and the long and vulnerable line of Canada, because it was her own. But when a Government disparaged prestige, in point of fact, it most ingeniously avowed a conduct which had lowered it. If the language of the first reply to Prince Gortchakoff had been sustained; if no one had selected Count Bismarck; if a Conference had not been granted to the menaces of Russia, or had it ended in the vindication of the Treaty, would the noble and learned Lord have been permitted to go out among the fishmongers, and rob them of the last illusion which they cherished as a body? If dinner was not as inconsistent with debate as debate was found to be too frequently with dinner, that shrewd and business-like assembly might have told him that a Government which happened to give up the Isle of Wight, or any similar possession, could hardly be an unsuspected judge of its importance, and that public men were not in a condition to appraise and estimate prestige, unless they had succeeded in upholding it.

Moved, That an humble Address be presented to Her Majesty for any consular reports of the steps which the Russian Government are taking to form the Maritime and Military Arsenals which Clause XIII. of the Treaty had prohibited.—(*The Lord Campbell.*)

EARL GRANVILLE: My Lords, I wish in the first place to protest against the excuse which the noble Lord made for carrying on a discussion on an important subject of this kind at so late an hour as 20 minutes past 6 o'clock; but I own I feel somewhat embarrassed how to continue this debate on a matter which has given me cause of anxiety of a very peculiar kind. Though anxious to go into the whole of the circumstances connected with the Black Sea question, I hardly feel it fair to trespass at great length upon the attention of the very few of your Lordships now remaining in the House. Certainly they have not been driven away by the speech of the noble Lord. The noble Lord mentioned several things in respect to which he disagreed from the criticisms which have been made on the foreign policy of the Government, and for that statement I am obliged to him. Among other things the noble Lord said with respect to the Conference that it would have been a right thing if it could have been shown that it was for the purpose of avoiding war. Having considered all the alternatives which were possible on this occasion, we could not help seeing that, with the exception of one of them, they involved very considerable risks of war. What were these alternatives? One was to immediately acquiesce in, accept, and even give a sanction to the declaration made in the Circular of Prince Gortchakoff. One of the embarrassments I feel in discussing this question now is, that the Conference having been concluded, and certain results arrived at—wrongly as the noble Lord thinks, rightly as I believe—a friendly agreement having been come to between the great Powers of Europe, co-signataries of the Treaty of 1856, and friendly relations having been restored which threatened to be broken by the Russian Circular, it would be difficult, were I to go at any length into the subject, to avoid irritating topics; and I must, consequently, refuse to follow the noble Lord into many of the details raised by his speech. As to one question—the noble Lord spoke of the resignation of a political Friend and Colleague of mine (Mr. Otway). It was certainly a remarkable circumstance, and attracted much attention at the time, in a sense somewhat adverse to Her Majesty's Government. It took me by surprise when made. Mr. Otway told me in the most straightforward and honourable manner that, though he was of course not responsible for our entering into the Conference, he felt that he could not fully defend that step, and having views of his own of a very spirited character, but the practicability of which I could not admit, he took a course which I believed unnecessary, though it was certainly most honourable and disinterested—that of resigning his office, so that he might not be called on to defend a measure which he could not entirely approve. Now, what were the other alternatives, if we did not sanction and acquiesce in the declaration of Prince Gortchakoff? There was a middle course, in favour of which some arguments might be used. We might have waited and said to Russia—"You have made this declaration upon paper; we, on the contrary, have declared that we will not admit it. We will wait to see whether you carry your declaration to any practical result. If so, we shall then be prepared to take the necessary measures to oppose it." That is one of the alternatives to which we might have resorted, but it is one which combines great disadvantages. In the first place, taking for the moment an anti-Russian view of the case, it would have been a course singularly agreeable to Russia. It would have left her declaration unquestioned. She would have been able to answer that she was perfectly free from those engagements. I do not know that even now she has any intention to create a fleet in the Black Sea; but that alternative, had we adopted it, would have left her free to postpone her intention to the time most convenient to herself, and therefore most inconvenient for Turkey and her allies to oppose it. Meanwhile, not only would the diplomatic and commercial relations between Russia and Turkey have been disturbed, with immense disadvantage to both countries, but this festering Eastern question would have produced immense uneasiness in Europe. Turkey would have been placed at the greatest possible disadvantage, for there would have necessarily arisen a feeling of disquietude and uncertainty, and she would have been involved in financial burdens of a severe character caused by the doubt whether there was to be war or not. Such a state of things would have been intolerable, even in this country. The people would have said—"Better go to war at once than be left in such suspense, and remain always liable to war." Then there was another alternative. We might have declared war. Certainly a *casus belli* might have been made on this occasion. Turkey, in fact, said if we wished it she would go to war. But then we must have supported her credit; we must have supplied her with arms and have given her assistance in other ways; while as to an offensive war against Russia, that country enjoys much the same exceptional position that we ourselves occupy, from geographical and other reasons, as to facilities for defence. Another scheme was strongly pressed upon us. We were to go to Prussia; we were to ask for a categorical answer to the question—"Are you with us or with Russia?" And if that answer was not perfectly satisfactory in the sense we desired—if she answered she was not with us—we were then to conclude an offensive alliance with France, Austria, Italy, and Turkey, for the purpose of checking Russian ambition in the East and Prussian ambition in the West. Such a course appeared to me not only absolutely and entirely impracticable, but unjustifiable. What right had we to go to a country like Prussia and make such a demand in terms of such insolence? Is it likely that a powerful ruler like the King of Prussia, very sensitive upon a point of military honour, or that a statesman like Prince Bismarck, certainly not wanting in moral courage —is it likely that they, at the head of victorious armies, representing 40,000,000 people, powerful both physically and intellectually, and in the full current of their military success, would have given any other answer than one of an offensive character, or perhaps an utter refusal to answer such a question? But Prussia had already given an answer to a question that had been put to her, and what Prussia in effect said was this—"We agree with you in regretting, and in being surprised at, the mode in which the Russian proposal has been put forward, though we think, in common with the great majority of the co-signataries of the Treaty of 1856, that this particular condition could not be permanently maintained against Russia." That being so—when France, Austria, and Prussia had at different times expressed this opinion—an opinion held by many eminent statesmen even in this country, not merely by Colleagues of my own, by Earl Russell, by eminent lawyers like Sir Roundell Palmer, by Mr. Layard, but even by the historian of the war, Mr. Kinglake—I say that for us to have involved this country in all the horrors of war for the purpose of maintaining a condition which in its essentials had been denounced by other countries parties to the Treaty, and by persons of great authority in this country, would have been, indeed, most unstatesmanlike and unwise. I wish now to say one word more about Prussia. The noble Lord (Lord Campbell) talks about the six meetings of the Conference. But very much more of the business of a Conference is carried on outside the room in which it meets than in the Conference itself. It would, perhaps, surprise some of your Lordships to know what a mass of negotiations, conversations, and confidential and other communications passed between all the Powers interested, and led to the actual result. I can only say that, although there is no doubt Prussia in one way or the other was probably not unwilling to secure the neutrality of a great military nation like Russia in the contest then raging, by assisting her to remove restrictions which both the Emperor and the whole nation thought humiliating, we do not know that any engagements further than this existed between the two Powers; and I am bound to say that in all the principal points on which we were concerned in the Conference — in the Protocol *ad hoc*, in the prolongation of the Commission of the Danube, to which Russia had been always opposed, or with regard to the compensation to Turkey and her Allies for the de-neutralization of the Black Sea—Prussia did cordially co-operate and support us, and I cannot think that, as practical men, we should have thrown aside this sort of assistance from such a nation when we wished to arrive at a peaceful solution of a great question. The noble Lord assumes that Austria and Italy would have followed us had we been willing or anxious to go to war on this question. It is true that Austria said, very honourably, that she was ready to execute the tripartite Treaty; and on mentioning the subject to the Austrian Plenipotentiaries — Count Apponyi and his colleague — they said that Austria entirely agreed with us in our view of the Russian Circular and in the steps we had taken, not to admit or give any sanction to the assumption which appeared to be embodied in it; but, speaking from an intimate knowledge of the policy of the Austrian Government, both Plenipotentiaries said their desire was for a peaceful solution of this Eastern question, and not to adopt any course which might lead to the risk of war. And I may add that Count Beust, in reference to an expression in a speech of Mr. Gladstone's, declared that Austria had no wish or intention to go to war with Russia. I wish also to make a remark with respect to France, as the noble Lord has alluded to that country. Now, France never from the very beginning said otherwise than that the Conference was a good thing; nor did she ever say otherwise than that it would be an advantage to her to be represented in it. It is quite true that certain delays occurred owing to the difficulty attending the coming to this country of M. Jules Favre, the person whom she selected to represent her; but I defy anyone who reads these Protocols to show that I did not use every effort to secure that France should be represented in the Conference, and I was at length, I am happy to say, successful in attaining that object towards the conclusion of our labours; while I must bear my testimony to the dignified manner in which the Duke de Broglie acted in the part which he took at the close of our proceedings. As to there being any inconsistency exhibited by us, or any negligence shown in the discharge of the responsible duty which devolved on the representative of Her Majesty's Government, I would refer your Lordships to the despatch of the 10th of November; and I wish to draw attention to that despatch more particularly because, except one or two criticisms which have been passed upon it, I am not aware that any objection has been made to it. That answer, which was addressed by me to Sir Andrew Buchanan, comprises the arguments by which we attempted to show that the assumption contained in the Protocol of Prince Gortchakoff was totally inadmissible. We said—

> "This statement is wholly independent of the reasonableness or unreasonableness on its own merits of the desire of Russia to be released from the observation of the stipulations of the Treaty of 1856 respecting the Black Sea; for the question is, in whose hands lies the power of releasing one or more of the parties from all or any of these stipulations. It has always been felt that that right belongs only to the Governments which have been parties to the original instrument. The despatches of Prince Gortchakoff appear to assume that any one of the Powers who have signed the engagement may allege that occurences have taken place which, in its opinion, are at variance with the provisions of the Treaty, and, although this view is not shared nor admitted by the co-signatory Powers, may found on that allegation, not a request to these Governments for the consideration of the case, but an announcement to them that it has emancipated itself, or holds itself emancipated, from any stipulations of the Treaty which it thinks fit to disapprove."

Then, after following up this argument further, the despatch goes on to say—

> "The question therefore arises, not whether any desire expressed by Russia ought to be carefully examined in a friendly spirit by the co-signatory Powers, but whether they are to accept from her the announcement that, by her own act, without any consent from them, she has released herself from a solemn covenant."

We then proceeded to show that it was "impossible for Her Majesty's Government to give any sanction on their part to the course announced by Prince Gortchakoff," and lastly and intentionally we left a door open, should Russia wish to avail herself of it, for the purpose of arriving at a peaceful solution of this vexed question. Now, the proposal of a Conference, I contend, carried out this view completely, and as soon as Russia consented to join in a Conference we got the most formal declaration that there was to be no foregone conclusion. I absolutely refused to enter into the slightest question with respect to any portion of the Treaty until the Protocol *ad hoc* was signed by the Russian Envoy, together with the other Plenipotentiaries, carrying out what appeared to me to be exactly the doctrine which we had laid down in our answer to the Circular of Prince Gortchakoff. I am bound to add that Russia, having made up her mind to enter the Conference with the conditions attached, signified her readiness to agree to some such Protocol; there being, I believe, as many as thirteen versions of it before we arrived at a definite conclusion as to its terms. This very delay in my opinion, shows that it was our desire to make it complete, and I am not sure that it was not worded even a little more strongly than on abstract grounds we might be entitled to expect. But be that as it may, we did go into the Conference, and we made concessions voluntarily, and with the approval of the other co-signataries to the Treaty, following the initiative of Turkey. There were also other points of the greatest importance with which we had to deal. There was one, for instance, which was of great importance to Europe, not so much, perhaps, in a political as in a commercial point of view. I allude to the prolongation of the commission with respect to the Danube, to which Russia was always opposed, but which she consented to accept; and Prussia co-operated strongly in persuading Russia to agree to it. I would also remind your Lordships of the use, when the Article relating to the neutralization of the Black Sea was inserted in the Treaty of 1856, which Russia had just made of her naval supremacy over Turkey. The state of things is now, however, entirely reversed. Turkey has a most formidable fleet, while Russia has no fleet whatsoever. By the arrangement, too, which has been made, instead of the Dardenelles being closed in time of peace, it can be opened at the will of the Sultan with the view only of maintaining the stipulations of the Treaty of 1856, which is now confirmed and maintained, not under the pressure of war, but by all the Powers of Europe of their own free action. Another advantage which Turkey now has, owing to this arrangement, is that in the event of their being danger of war, she would be able to add to her own naval resources immensely by drawing upon the dockyards and arsenals of other countries which might be disposed to give her assistance, while Russia would have to rely on ships constructed in her own arsenals and dockyards. There has hardly, I believe, my Lords, ever been a treaty made with respect to which there has not been grumbling on both sides, and, accordingly, very soon after the labours of the Conference had been brought to a close, there appeared an article in *The Moscow Gazette*—written, I believe in opposition to the Russian Government—the pith of which was that owing to the Machiavellism of England —and I suppose I must take the compliment as applying more or less to myself—the result of the Conference had been to confirm the predominance of Great Britain in the East, while it bound the hands of Russia in the Black Sea. What was the answer of the Russian Government to the charge? A fair one. They contented themselves with publishing in *The St. Petersburg Gazette* the spirit of articles written and speeches delivered in this country, in which Her Majesty's Government are represented as having excited the disgust of all Europe by the course which they adopted. And now, my Lords, I would observe that such a course is, in my opinion, one which *primâ facie* ought to be followed, except under peculiar circumstances. There may be instances in which the country should not be called upon to take any line beyond that which its own honour and interest dictate. But *primâ facie* it is a merit in a particular course of action that it enables you to arrive at a pacific solution of European questions by getting all the Powers of Europe to meet together and consider how that may be done and war avoided. There are a great many small points to which I should like to have referred, but I shall not dwell upon them on this occasion. I believe the country does not, as the noble Lord seems to think, blame us for the course which we took —and I have some right to say so after the result of the debate in the House of Commons. I know, indeed, that many of your Lordships are individually opposed to our views on the subject, but the appearance of your Lordships' House leads me to suppose that you do not very much dissent from the opinion which the other House has pronounced.

THE MARQUESS OF SALISBURY: I cannot allow the statement with which the noble Earl concluded his speech to pass without a few remarks. I do not believe the thinness of the House on this occasion is due to the fact that your Lordships approve the conduct of the Government with respect to these transactions; it is due, I should say, rather to the feeling that what is done cannot be undone, and that it is useless to discuss the question. But I would remind the noble Earl that when we sought to discuss it when it was matter of practical interest we received from him very severe rebukes for our imprudence. The noble Earl is somewhat like the man who, undergoing a flogging, did not like it whether he was hit high or hit low.

EARL GRANVILLE: I did not deprecate discussion on the present occasion.

THE MARQUESS OF SALISBURY: The noble Earl, at all events, condemned discussion very strongly indeed when the subject was brought forward on a former evening. At all events, the noble Earl has hardly made out a case for the very exceptional mode in which he has proceeded. It is not true that if we disapproved the alteration of the Treaty of 1856 our only choice was between immediate war, summoning a Conference, or submission.

EARL GRANVILLE: I did not say so.

THE MARQUESS OF SALISBURY: No—but the noble Earl implied it very strongly. But there was an intermediate course, which the noble Earl just glanced at to put aside — a course which was not without precedent. The noble Earl, perhaps, will recollect a similar outrage upon treaties perpetrated not by Russia, but by Austria, when the Republic of Cracow was suddenly suppressed. That was a breach of a Treaty to which we were a consenting party. It was a *casus belli*, and we might have gone to war on that account if we had thought fit. What did Lord Palmerston do on that occasion? Did he summon a Conference to approve the violation of the Treaty? He did nothing of the kind, nor did he go to war. But he wrote a most able despatch, pointing out the wickedness of the course pursued by the Austrian Government, protested in the strongest language against it, and left his protest on record for diplomacy to deal with, leaving it open to take any course that might seem necessary at a future time. Again, take the case of the Americans with regard to the *Alabama* claims. It was not convenient for them to go to war with England when they thought themselves injured; but they did not summon a Conference to condone the matter—they simply recorded their protest, which might have been taken up on a future occasion if necessary. For my part, I prefer that course to the one which the noble Earl has pursued, which is but a flimsy and transparent veil of submission, and which, I believe, does nothing but injury to the credit of this country. The explanation of the foreign policy of the noble Earl, however, is not very far to seek. There is a large proportion of the people of this nation who object to foreign policy altogether, who would shut up the Foreign Office for good, or, at all events, degrade it from its present position. That is an influential part of the nation, and the noble Earl has to take its wishes into account. On the other hand, there is a part of the nation which believes in a foreign policy, which thinks that our power is as great as ever it was, and would be quite ready to go to war whenever the honour or interest of England might appear to require it. The consequence is that the noble Earl has to invent a policy which shall not displease those in favour of inaction, and shall not too much offend the traditional feelings of those who prefer a strong foreign policy. And that accounts for the Machiavellian line of action which the noble Earl was so proud as to attribute to himself. Indeed, he has shown in this case the peculiar talents displayed by Caleb Balderstone on a similar occasion. Knowing that he has not at his back an army able to fight any great European Power with the least possible chance of success, he is able by his skilful management to maintain in European politics a very good place, which until you probe it and see how hollow it is underneath appears not unworthy the distinguished statesman whom he has succeeded. I do not blame the noble Earl. I cannot conceive a more difficult position than that of a Foreign Minister who is obliged to have recourse to almost anything rather than bring into conflict the two opposing tendencies to which I have referred. But still I feel that it is the duty of the Government to bring home to the people of this country the position in which they stand, for I hold that those flimsy pretences are really dangerous, because they hide from us our real weakness. What the noble Earl has done in this case is exactly as if a man stopped on the road by a highwayman should say—"I should be delighted to give you up my watch, only I request you first to repeat the Eighth Commandment." We required from Russia a verbal confession that that which she did was wrong, and that seems to me nothing better than a flimsy concealment of submission on our part. As I have said before, I do not condemn the noble Earl, but I condemn what has been done on this ground that it is a transparent device arising from a mistaken tenderness for the feelings of the people of this country, and that it would be wiser to bring home to them a real sense of the weakness to which our policy has reduced them. I wish, however, to suggest—what is not sufficiently seen from these despatches—the position in which Turkey finds herself. It is a singular feature in these proceedings that Turkey is to be seen eagerly struggling for that which would be beneficial and agreeable to Russia alone. Instead of trying to make the terms disagreeable to Russia, she strives to make them agreeable, by admitting Russian as well as all other ships into the Dardanelles. I cannot help noticing the sundry reports I have heard of the sudden pacific attitude of Russia towards Turkey, and I confess I cannot help suspecting that the noble Earls knows also that Turkey has come to the conviction that the assistance of the Western Powers is a broken reed that will pierce her hand—for what with the impotency of France, and the irresolution of England, Turkey has come to the conviction that it is cheaper to purchase the goodwill of Russia, and that it will be safer for her to become a feudatory of Russia, and more honourable than to become a despised and rejected suppliant for Western assistance. If that is her policy, and it is a very natural one for both, it is one of the most dangerous policies that could have been adopted towards this country, because it will close far more effectually than Russian aggression all our influence over those countries which form the highway to the East. I will not enter into the details of the subject, not because we approve of the conduct of the Government, but because it is our duty to protest, and to assure the noble Earl that the feeling which the conduct of England has produced amongst Englishmen is one of very deep disapprobation.

The Duke of ARGYLL: My Lords, I wish to point out that the course which the noble Marquess (the Marquess of Salisbury) has recommended would be infinitely more dangerous and would have been much more likely to result in the abolition of the Foreign Office than that pursued by my noble Friend. The noble Marquess says that we should have been content merely to do what Lord Palmerston did in the case of Cracow—simply to have written a despatch against it. But, my Lords, there was the greatest difference between the the two cases. The case of Cracow was totally unconnected with European politics and was not likely to recur. But this question of the Black Sea, and the whole question of the Treaty of 1856, has over and over again come up at frequent intervals, and if you had accepted the Russian declaration with merely a protest, and without securing any agreement on the part of the European Powers, you would have been only postponing a difficulty to which you would be liable at any time. I was a humble member of the Government that concluded the Treaty of 1856, and it so happened that I attached more importance to the clause in question than anybody else. But I never concealed from myself that it was a clause imposing a very violent and unnatural limitation on the power of Russia over her own territory. It was forbidding Russia to have fleets on her own waters, to build fortresses on her own soil, and nothing but a disastrous defeat could have induced Russia to accept at the hands of the other Powers such conditions. It is a clause which, if not supported by the general opinion, of Europe is in the nature of things of a temporary character, and the termination of which was foreseen by Lord Palmerston, who knew that it must come to an end sooner or later. During the years which have elapsed since 1856 it is quite evident that the opinion of the great Powers of Europe has materially changed with respect to the clause, and that they no longer attribute to it the importance which they did at first. Accordingly, repeated suggestions have been made by some of the Great Powers, including those most interested in its maintenance, that the clause should be re-considered, and the whole question of the neutrality of the Black Sea re-opened. Now, although one of those who attached very great importance to the clause at the time it was agreed to, and though I still think it very valuable, I do say this—that great exaggeration has been used by those who speak of it as my noble Friend (Lord Campbell) has done, as if the neutrality of the Black Sea was the one great object of the Crimean War. That is a great exaggeration. It was a clause, and not an unimportant one in that settlement, but there were others infinitely more fundamental. In the first place, there was the liberation of Turkey from all this long series of most damaging and embarrassing engagements between Russia and herself, which gave to Russia the power of perpetual interference with Turkey. One of the main objects of the Crimean War was to set Turkey free from those engagements, which were a source of embarrassment to her, and gave to Russia frequently the most legitimate and always the most facile means of stepping gradually on in the path of her supposed ambition; the Crimean War abrogated those treaties, and the result has been important as regards the maintenance of the Turkish Empire. One very important consequence of the war with Russia used to be expressed by the absurd phrase of "attaching Turkey to the European equilibrium." That was an extraordinary diplomatic phrase, but it went through all the despatches of that time, and it was attempted to be done by a new joint guarantee on the part of the European Powers that Turkey should be upheld. Nothing has been done to alter that, but, on the contrary, my noble Friend has procured a Protocol in this Treaty by which that is renewed and reiterated. Another matter which is not unimportant related to the continuance of the condition as to the navigation of the Danube—a matter on which Russia has always been extremely jealous, to which Austria naturally attaches considerable value, and in which all the other States of Europe have a great interest. It would have been futile for my noble Friend to have been contented with a mere protest against the conduct of Russia, for it was absolutely necessary to come to some new arrangement, and to see whether the Powers of Europe would unite with us in re-arranging the treaties which had been disturbed by the conduct of Russia. The noble Marquess (the Marquess of Salisbury) has referred—almost in the tone of contempt—to the power of Turkey to call up the fleets of the Western Powers in the Black Sea, not in the event of war, but if she became alarmed at the attidude of Russia. Had my noble Friend been intimately conversant with the negotiations that occurred in 1856 he would have known that there was no point of greater delicacy than the mode of dealing with the Western fleets in the Black Sea, and jealousy and suspicion were always manifested by Russia about that power. Of course, times have changed, and in the course of years Russia may possess a considerable fleet, but at the present moment Turkey is infinitely more powerful than Russia in that respect, and, if she is able to call up the Western fleets even in a time of danger and suspicion, she may at any time command in the Black Sea a power much greater than Russia is likely to possess. Without speculating upon the future of Turkey, and speaking for myself alone—because in such a matter as the Crimean War members of a Government might join, although they entertained different views—I would add that I never believed in the ultimate permanence of Turkey in Europe, and never regarded the Crimean War as one merely to uphold the Turkish Empire. It was, in the first instance, a war to uphold that Empire, but the greater object was to prevent Russia from taking to herself the great inheritance of Turkey. We are not called upon as a Government to express any opinion as to the future condition of Turkey; all we have to say is whether or not it is desirable that she should continue in Europe, and that is rather a matter to be dealt with by political philosophers like my noble Friend opposite. The practical question with us was whether it was right to allow Russia to engage Turkey by treaties, and so help herself to the Turkish Empire. Whatever may be the future of Turkey, the great principle involved in the Crimean War was to protect the interests of all Europe, and we felt that Russia alone had no right to take such steps as would enable her to have exclusive dominion over some of the fairest regions of the earth.

EARL GRANVILLE explained that the Motion could not be agreed to because there did not exist any such papers as those which had been moved for.

LORD CAMPBELL said, as the information he had moved for had not reached the Foreign Office, he could not urge them to produce it. If he had done nothing more to-night than elicit the remarks which had fallen from the noble Marquess (the Marquess of Salisbury), the Motion would not be an useless one. The noble Earl the Secretary of State for Foreign Affairs (Earl Granville) and the noble Duke the Secretary of State for India (the Duke of Argyll) had taken much pains to defend the policy of going into the Conference, which he (Lord Campbell) had refrained from questioning that evening. But neither of them had attempted to shake the fundamental propositions which he had brought before their Lordships—namely, that in the Conference a specific duty fell upon Great Britain, and that if the Protocols were accurate that duty had been wholly unfulfilled.

On Question, *Resolved* in the *Negative.*

CANADA BILL [H.L.]

A Bill respecting the establishment of Provinces in the Dominion of Canada—Was *presented* by The Earl of KIMBERLEY; read 1ª. (No. 112.)

JURIES (IRELAND) BILL [H.L.]

A Bill to amend and consolidate the Laws relating to Juries in Ireland—Was *presented* by The Lord O'HAGAN; read 1ª. (No. 113.)

House adjourned at Eight o'clock,
'till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 15th May, 1871.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Metropolitan Board of Works (Loans)* [140]; Murder Law Amendment and Appeal* [141].

First Reading—Consolidated Fund (£7,000,000)*; Presbyterian Church (Ireland)* [142]; Primitive Wesleyan Methodist Society of Ireland Regulation* [143]; Ecclesiastical Dilapidations* [144].

Second Reading—Tramways Provisional Orders Confirmation* [130], *debate adjourned;* Courts of Justice (Additional Site)* [133].

Committee—Army Regulation [39]—R.P.

Committee—Report—Dogs* [114]; Burial Law Amendment* [125]; Mines Regulation* [16-139]; Pensions Commutation (*re-comm.*)* [122].

Considered as amended—Police Courts (Metropolis)* [131].

Third Reading—Lunatics (Scotland)* [117]; East India Stocks (Dividends)* [134]; Postage* [124], and *passed.*

SCOTLAND—LAW OF HYPOTHEC. QUESTION.

MR. STAPLETON asked the Lord Advocate, Whether, considering the failure of the Bill for the abolition of Hypothec, he will take measures to assimilate the Scotch Law to the English Law on the subject of distress for rent, in conformity with the views expressed by his predecessor in office?

THE LORD ADVOCATE said, in reply, that, looking to the state of Public Business, he did not think it probable the Government would have an opportunity of dealing with the Law of Hypothec in the present Session, and he could not therefore promise to take measures to assimilate the Scotch and English laws on the subject of distress for rent.

IRELAND—HIGH SHERIFFS IN IRELAND. QUESTION.

MR. MONK asked the Chief Secretary for Ireland, If he is prepared to state whether a gentleman having neither a residence nor property in Ireland is qualified to serve the office of High Sheriff of an Irish county; if such person cannot be compelled to serve as Sheriff, whether the Government are prepared to take means to relieve any gentleman who has this year been so appointed and peremptorily required by the Lord Lieutenant to serve as such Sheriff, in accordance with the statement made by the Chief Secretary; and, whether there is any objection to produce the Correspondence between the Government and the gentlemen nominated as Sheriffs of Louth and Westmeath for the present year?

THE MARQUESS OF HARTINGTON replied that he had no hesitation in saying that a gentleman having neither residence nor property in Ireland could not be compelled to serve the office of high sheriff in that country. He had, however, on the other hand, no doubt that in the case of a gentleman in this position having accepted such office, he might be held to be legally qualified to serve. In reference to the second part of the hon. Member's inquiry the Government would be prepared, in the event of any injustice being committed to a gentleman in connection with this office, to take the most effectual means in their power to relieve him from his difficulty. He, however, did not think it at all desirable to lay the Correspondence upon the Table, all such Correspondence being considered undesirable to produce.

IRELAND—CENSUS OF SCHOOL CHILDREN.—QUESTION.

THE O'CONOR DON asked the Chief Secretary for Ireland, Whether it is true that a day for taking a census of all the children attending primary schools in Ireland has been fixed by arrangement between the Census Commissioners and the Commissioners of National Education in Ireland, or whether the latter or either of their secretaries have been made acquainted, officially or unofficially, with the day fixed for the taking of such census; and, if so, whether similar information has been communicated to other educational bodies, such as the Church Education Society or the Christian Brothers?

The Marquess of HARTINGTON replied that, in accordance with the usual practice on such occasions, a day had been fixed upon for taking the census referred to, and that that day was the 28th June. The necessary Papers were in course of preparation, and when they were ready copies would be sent to the National Board, to the Ecclesiastical Commissioners, the schools of the Christian Brothers, and to the heads of the other educational bodies throughout the country, likewise to the Press.

CHINA—MISSIONARIES.—QUESTION.

Mr. MACFIE asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have any information regarding contemplated restraints on missionaries and other aliens resident in China, and treatment of Christian converts there, adverted to in a telegram from Shanghai, dated 12th April; and, whether instructions have been sent to the representatives or agents of Her Majesty in China how to act if unfortunately the circumstances there adverted to are, as is feared, true?

Viscount ENFIELD said, in reply, that no despatch or further information on the subject referred to by the hon. Gentleman had been received by the Government relative to the matters mentioned in the telegram from Shanghai, dated the 12th of April, and therefore no further instructions had been sent out to our diplomatic representatives in China. But all the previous instructions sent out gave ample information as to how they ought to perform their duties. In the case of any unforeseen contingency arising, they would no doubt perform their duties with firmness, judgment, and discretion.

INLAND REVENUE—LICENCES FOR ATTENDANTS ON LUNATICS.

QUESTION.

Sir JAMES LAWRENCE asked Mr. Chancellor of the Exchequer, Whether he has authorised the Commissioners of Inland Revenue to require licences to be taken out for attendants upon lunatics in hospitals, and under what Act of Parliament this tax is now for the first time attempted to be exacted from charitable institutions?

The CHANCELLOR of the EXCHEQUER replied that the Commissioners of Inland Revenue had received no special instructions on the subject alluded to. They were simply to give effect to the existing law as heretofore. The law had not been changed by the substitution of a licence for the old assessed tax. The authority under which they acted would be found in the Assessed Taxes Act. The rule was this—in the case of lunatics placed in public institutions, and who were supported at the expense of those institutions, the attendant upon them were not required to have a licence; but wherever a patient had a special attendant waiting upon him—whether in a public or a private institution—a licence must be taken out for such attendant.

BRAZIL—CLAIMS OF BRITISH SUBJECTS.

QUESTION.

Mr. ANDERSON asked the Under Secretary of State for Foreign Affairs, Whether the Mixed Commission that was appointed to adjudicate on British claims against the Haytian Government has completed its work; and, if not, if Her Majesty's Government will make further representations on the subject; and, what progress has been made in the settlement of claims against the Brazilian Government?

Viscount ENFIELD: Sir, there are two Commissions sitting at this time at Port-au-Prince. The first, composed of nine Haytians and three foreigners, was nominated on the 19th of March, 1870, to inquire into the debts contracted and still due by the Government of the late President Salnave. These claims amount to about £300,000. The second Commission was nominated to inquire into the losses sustained by British subjects on account of acts of war, and consists of two Haytians and two foreigners, with power to name an arbitrator. This Commission was appointed in July of last year. The Acting Consul General, Mr. Byron, writing at the end of last September, states that the two Commissions were continuing their labours, and that he would make a more detailed Report of their proceedings by a future mail. With respect to Brazilian claims, the intricate and protracted work necessitated by their investigation has been at length completed, and Her Majesty's Government will be enabled in a few days, as I hope, to make a communication to the Brazilian Government on this subject.

RATES ON GOVERNMENT PROPERTY QUESTION.

Dr. BREWER asked the Secretary to the Treasury, Whether the Government are prepared to contribute to all Rates in respect of Government property as they now do to the Poor Rate?

Mr. BAXTER, in reply, said, Her Majesty's Government did not propose to contribute to all rates in respect of Government property as they now did to the poor rate. They would not modify their present practice until Parliament should have expressed an opinion upon the general question of making Government property liable to rates.

NEW FOREST.—QUESTION.

Sir CHARLES W. DILKE asked the Secretary to the Treasury, Whether the old forest woods comprised in Denny Wood inclosure in the New Forest, were or were not originally so inclosed with the intention of felling the same and planting the site of such ancient woods as provided by "The Deer Removal Act, 1851;" and, whether, in consequence of the Commissioner of Woods having stated that it is not his intention to fell Denny Wood, and of the pledge recently given to Parliament that the destruction of ancient timber in the New Forest is to be discontinued for the present, it is the intention of the Commissioners of Woods to order the removal of the banks, fences, and gates which enclose the ancient timber in Denny Wood, so that Denny Wood may be restored to the open forest land?

Mr. BAXTER: In reply, Sir, to the first Question put by my hon. Friend, I have to say that it was intended originally only to fell such trees in Denny Wood as were dying or defective, and to replant their sites; and, as to the second inquiry, I am advised that the Commissioners of Woods have no power under the Acts of Parliament to order the removal of the banks, fences, and gates until the young trees are past danger from cattle.

PUBLIC-HOUSES—TRANSFER OF LICENCES.—QUESTION.

Mr. WETHERED asked the Secretary of State for the Home Department, Whether his attention has been called to a letter printed in "The Morning Advertiser" of 12th instant, addressed by order of the Magistrates of the Luton County Bench; and, whether magistrates have the power of making the transfer or renewal of a licence to a publican conditional upon the doing away with freedom of contract in respect of the sale of the goodwill of his business, as appears from the above letter to be the intention of the magistrates of the Luton division?

Mr. BRUCE said, in reply, that through the courtesy of the hon. Gentleman he had seen a copy of a letter printed in *The Morning Advertiser* of the 12th instant, addressed by order of the magistrates of the Luton County Bench. With respect to beerhouses the licences of which were granted before the 1st of May, 1869, the magistrates had no power of refusing the transfer or renewal except for the special reasons stated in the Act of 1869; but with respect to beerhouses the licences of which had been granted since that date, and to public-houses generally, the law was different. In their case the magistrates had full discretion to refuse the transfer or renewal, subject to an appeal to the magistrates in Quarter Sessions. Applications had been made to the Court of Queen's Bench where corrupt motives were attributed to the magistrates, or where their conduct was alleged to be arbitrary or oppressive. He was unable to say whether the making the transfer or renewal of a licence to a publican conditional upon the doing away with freedom of contract in respect of the goodwill of the sale of his business would be held by the Court of Queen's Bench sufficient to justify their interference.

NAVY—CADETS.—QUESTION.

Sir JAMES ELPHINSTONE asked the First Lord of the Admiralty, If a rule exists at the Admiralty that all cadets for the Navy must date their age from the 15th of July and not from the day of their birth?

Mr. GOSCHEN, in reply, said, he was not quite sure if he understood the

Question. There was no Resolution of the Navy compelling cadets to date their ages from any particular day. He presumed the regulation referred to was, that no candidate eligible for cadetships in the Navy should be under 12 or above 13 years of age on the 15th January or on the 15th July. It was clear the age would date from the day of birth.

EDUCATION—THE NEW CODE (1871)—ARTICLE 32 (c).—QUESTION.

Mr. J. G. TALBOT asked the Vice President of the Council, Whether, under Article 32 (c) of the New Code, a mixed school under a certificated master, in which the infants are taught in a separate room by an uncertificated mistress, the average of the elder children being 50, and that of the infants 35, will be compelled to have a pupil teacher besides the infant mistress?

Mr. W. E. FORSTER: Sir, a school so situated would be compelled to have a pupil-teacher besides a mistress, unless the mistress was a pupil-teacher, when the school would come under Clause 69 of the New Code. He would refer the hon. Gentleman for any further information to the New Code, a copy of which it was easy to obtain.

ARMY—EMPLOYMENT OF ARMY OFFICERS IN THE RESERVE FORCES.

QUESTION.

Lord EUSTACE CECIL asked the Secretary of State for War, Whether, in reference to his statement that "the employment of a number of Officers of the Regular Army in the Reserve Forces will give a great stimulus to promotion and act in lieu of retirement," he will assure the House that such employment is intended to be optional, and not forced upon the Officers employed?

Mr. CARDWELL: Sir, I have no difficulty in saying that the arrangements I had in my mind were likely to be acceptable and desired; but I am not prepared to assure the House that any duty will not be enforced which may be legitimately imposed upon any soldier.

CUSTOMS AND INCOME TAX BILL.

QUESTION.

Mr. DISRAELI: I am desirous, Sir, of making an inquiry from the Government respecting the conduct and arrangement of Business on the Paper, which does not appear to me to be of a satisfactory kind. I refer more particularly to the financial measures. On Friday last the Customs and Income Tax Bill was put down for a second reading. It was my intention to oppose that Motion in order to call the attention of the House to the general conduct of the Chancellor of the Exchequer, and more particularly with regard to this Bill, on which there are, I think, several points that require consideration. But the second reading was moved at that helter-skelter moment which occurs at the end of our debates in morning sittings, when it would have been impossible for me to discuss the subject even if I had had the power, and I should be unwilling in any case to do so without informing the Government of my intention. It is possible that the observations which I should feel it my duty to make might lead to a discussion—it is even possible that they might lead to something more important—and that I might find it necessary to ask the opinion of the House on the points raised. It would be certainly inconvenient that the opinion of the House should be asked after midnight with respect to a Bill of great importance, a Bill which may possibly be even more important than the Army Regulation Bill. I would, therefore, ask the right hon. Gentleman, Whether he will make some arrangement which will insure a fair and free discussion of the subject?

Mr. GLADSTONE: The Government, Sir, had no intimation of any desire to offer opposition to or discussion of the Government Bill, and it was therefore put down among those measures which were expected to pass as a matter of course. If, however, the right hon. Gentleman desires to prolong discussion on that subject, it is certainly right that he should have the opportunity of doing so. I am therefore quite willing that the Motion for going into Committee shall be placed for the first Order on Thursday evening, or perhaps it will suit the right hon. Gentleman equally well if we go through Committee tonight and take the debate on the third reading on Thursday.

Mr. DISRAELI: I will communicate my decision.

ARMY REGULATION BILL—[Bill 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

COMMITTEE. [*Progress 11th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title of Act).

Colonel STUART KNOX said, the right hon. Gentleman the Secretary of State for War said the other night that he would be ready to listen to any reasonable proposal that might be made to him, and as he was about to make a suggestion to the right hon. Gentleman, he trusted he would give it his full consideration. The Bill was called the Army Regulation Bill; but, in his opinion, and also the opinion of many inside and outside Parliament, it was a Bill for the destruction of the Army, and not one for its regulation. The Government viewed it as a Bill for re-organizing the Army; but the measure was one for the destruction, and not organization, of that force, and the House was ignorant, from the contents of the Bill, both of what the regulations were to be, and who was to make them. Under these circumstances, he would move that this clause be postponed so that it might be hereafter settled what the designation of the Bill ought to be.

Mr. CARDWELL said, his promise referred to reasonable suggestions only, and he would ask the Committee whether the hon. and gallant Gentleman's suggestions came within that category. He did not expect the Committee would debate the clause.

Clause *agreed to.*

Clause 2 (Sale of Commissions prohibited after a certain day).

Mr. MUNTZ said, he had placed several Notices on the Paper, the first of which dealt with this clause, and proposed to omit all the lines from 16 to 30, inclusive. It was a technical Amendment, and, if rejected, all the others which depended on it must be rejected also, as a matter of course. They were designed to provide for paying down within this year to all officers of purchase regiments the regulation value—or price fixed by Her Majesty for every step in the service—of their commissions, to ignore altogether over-regulation money, the payment of which was grossly illegal and in direct violation of the Queen's Regulations read every year by every officer, and imposing severe penalties on those who infringed them; and he trusted the House would remember that in these characteristics they were similar to the Motion of the right hon. Member for Newcastle-on-Tyne (Mr. Headlam), which could not be brought under the notice of the House, in consequence of the hon. and gallant Member's for Bewdley (Colonel Anson's) Motion intervening. They would also negative the proposal to pay the bonus money, a very innocent arrangement existing in non-purchase corps, as in India, for instance, where the officers clubbed together to buy out the colonel so as to accelerate promotion. It had been wisely said that this was not to be a party question, but to consider how best they could devise a means to improve the condition of our defences, with as little burden as possible to the taxpayers, consistent with discipline; and in accordance with that dictum, the Amendment was drawn as soon as he obtained a copy of the Bill, and he assured the Government it was not done with any desire to throw objections in the way of the progress of the Bill. The Bill proposed to buy up all the commissions, and to pay the illegal over-regulation money as well as the acknowledged price of the commissions, and the payment was to be extended over 25 years; but he considered they were working in the dark upon the subject, and that the result would be that, after spending a large sum of money, and to a certain extent demoralizing the Army, they would have to fall back upon the principle of seniority. There were two classes of officers—there were the carpet knights who had gone into the Army for a few years, and who wanted to leave it, and these officers were to be paid the whole of the regulation and the over-regulation money; on the other hand, the class of officers who had entered the Army as their profession for life were, by a most invidious arrangement, to be paid only after an average period of 12½ years. Then, again, our Army was in a totally different position from any other in the world; our officers were liable to be sent to Bengal, Nova Scotia, or Gibraltar; and, under those circumstances, why should they not be allowed to exchange with each other? A man with a large family and a weakly constitution might be ordered out to Bengal, the climate of which he could not stand, while a strong, healthy man would be very glad to get £1,000 or so to take his place and receive the increased pay for Indian service. Would it not be cruelty to prevent those men from exchanging? The right hon. and gallant Gentleman the Surveyor General of the Ordnance said that if they were to pay back to officers the regulation money the officers could only expect to be put in the same place as they were in before they paid that price. Now, a more extraordinary statement he had never heard, for how would the Surveyor General of the Ordnance like it if, after the many years he had faithfully served his Queen and country, he were told that he was to be rewarded by being merely paid back the regulation money he had given for his commission? If they violated their contract with the officers, and did away with purchase, they were bound to indemnify them by paying down at once the regulation price of their commissions. He now came to the taxpayers, and here some hon. Members had said they knew nothing about Army matters, and therefore they would vote as they were told. He could not tell what their constituents might think of that; but he knew his own did not send him there to vote taxes, but to oppose all taxes which were not for the benefit of the public service, and he suspected that when hon. Gentlemen went to see their constituents after voting next year an extra penny of income tax, or an equivalent charge on articles of necessity, they would find, whether they understood Army matters or not, that they would meet with a reception more noisy than complimentary. That Bill proposed originally to pay down, in round figures, £8,000,000; but the alteration since made in it would, he thought, require something like £2,000,000 more. In addition to that there would be £500,000 or £600,000 for bonuses for the non-purchase regiments, making altogether some £10,600,000. Then, with regard to retirement, he had taken the Report of the Committee of 1867, and worked it out as well as he could in two ways—the one making £480,000 a-year, the other £700,000; and, capitalizing those sums at 4 per cent, the one would be equal to £12,000,000, and the other to £17,000,000, or an average of £14,500,000. Adding that to the £10,600,000, they would have a total cost of £25,100,000 under the scheme of the Government; whereas, by his own plan, on the other hand, and also spreading the charge, as he thought they were entitled to do, over a period of 40 years, the sum required would be only £7,400,000, thus showing a clear profit of £17,700,000 as compared with the scheme of the Government. That, he thought, was a very serious item. The hon. Member for the Border Burghs had little difficulty in persuading a Birmingham audience that the abolition of purchase was absolutely necessary; but at a large meeting subsequently held his constituents, when he himself distinctly put the matter to them, refused almost unanimously to pay a shilling beyond the regulation price. He denied that the House should entertain the question of over-regulation money, and he was astonished that the Secretary of State should have recommended the Legislature to indemnify men for violating the law. The Royal Commissioners themselves condemned any public recognition of claims for compensation which arose from deliberate violations of the most stringent statutes; but they admitted that legislation could not put a stop to such a pretension as long as the system of purchase continued in force. The question before the Committee was whether a stop could not be put to over-regulation prices; and with regard to that, the right hon. Gentleman the Secretary of State for War had said that it was the intention to make so many changes in the Army, that it would be impossible for any officer to know who was to be his successor; but if a system of seniority, tempered by selection, were to be adopted, then a sort of regimental assurance between the officers of the whole Army would be entered into, by which they would secure themselves against the chance of their being passed over. Such a system of assurance, although not yet adopted in the British Army, was formerly not unknown in the Austrian Army; and, as a matter of course, such a system could only come into force in an Army where the system of selection was adopted to a small extent. Therefore the question was, whether the House would adopt a system of seniority tem-pared by selection, which would continue the bonus system, or a system of general selection, which he believed to be beyond the power of any Secretary of State for War to carry out, taking into consideration the difficulties that would have to be overcome, even under a despotic Government, before it could be got into working order? Even the changes of uniform would be a heavy burden, and he could not help expressing his regret at the constant changes that were being made in the uniform of our Army, which imposed an endless tax upon the officers, who had no sooner provided themselves with new uniforms than they were often required to go to the expense of changing them. A great deal had been said lately in favour of the various systems of promotion in force on the Continent; but which of those systems ought we to imitate? In France, the system of promotion, before the time that her disastrous battles were fought, was one of selection; and the result was, that in many of those battles, and on other occasions, like Montmartre, her men did not know their officers nor the officers their men, and, consequently, whole regiments crumbled away. In the Austrian Army, previously to the year 1848, a system of pure seniority was in force; but after the Hungarian Revolution a system of selection had been adopted, and the result was, that the country, having found that under the new system she had lost every battle she fought, was reverting to the system of seniority. The Prussian system again was one of modified seniority, and in adverting to that system he might refer to a letter which had appeared in *The Times* of the 15th of March last, written by Colonel Stoffel, who was the French military *chargé d'affaires* at Berlin. In that letter Colonel Stoffel said that in order to appreciate properly the advantage offered to Staff officers, it must be remembered that promotion in the Prussian Army was by seniority, selecting officers of distinguished merit for Staff appointments; that although the King had the power to promote any officer at pleasure, he seldom made use of his privilege; and that, therefore, as the proportion of officers so promoted did not exceed a thirtieth or fortieth of the whole, it might be said that the promotion was by seniority. It must be recollected that among the Prussian officers were a large number of barons—for if a baron had 10 sons each inherited the title—who looked upon commerce as a pursuit to be despised, and whose only aim in life was to obtain the command of their regiments. The Prussian officer could not buy his promotion if he would, for frequently he had no money to buy it. [*Laughter.*] That was not so unimportant a matter as hon. Members appeared to think—many were younger sons who had nothing but their titles and their swords. In the opinion of an officer respected by everybody—Sir John Burgoyne—the proposal of the Government with reference to the promotion of officers would tend to destroy the *esprit de corps* so important to officers and soldiers, and, in many cases, would prevent a reasonable exchange of home and foreign service. Sir John was of opinion that the only object which the Government project as to the promotion of officers would gain—namely, a uniform rate of promotion throughout the whole Army, was not sufficient to compensate for the disadvantages of the measure, and he therefore trusted that, at the earliest opportunity, the military authorities would announce their intention of abandoning it. He trusted that he had proved to the Committee that the Bill would neither do justice to the officers nor to the taxpayers, and that if it passed without this Amendment, the system of general selection would be found impracticable, and that we should find in a few years that we had spent a large sum of money for nothing. The hon. Gentleman concluded by moving the Amendment of which he had given notice.

Amendment proposed, in page 1, line 16, to leave out all the words from the word "After," to the word "therein," in line 30, both inclusive.—(*Mr. Muntz.*)

Sir GEORGE GREY said, that having been Chairman of the Commission which sat last year upon the subject of the payment of the over-regulation prices, he was desirous to state, in the strongest terms possible, that the opinions which his hon. Friend (Mr. Muntz) had expressed with regard to those prices were not the opinions which he (Sir George Grey) had formed from the evidence, and he should be much surprised if they were shared by any other member of that Commission. It was clearly proved before the Commission that it was notorious that the over-regulation prices were paid, and they unanimously came to the conclusion that although there had been no formal or legal sanction of the payment of those prices, yet that the whole conduct of successive Governments, and of civil and military authorities, for a number of years, with regard to the payment of them, had been such as to amount, in their opinion, to a virtual sanction of them. The reason why the Commission did not recommend that the over-regulation prices should be paid was, that the terms of the Commission precluded its Members from making any recommendation; but they stated their opinion that the officers had been encouraged to believe, and had good grounds for believing, that in making the over-regulation payment they were running no risk even of incurring censure or displeasure on the part of the military authorities, and that their claims in respect of them were entitled to equitable consideration in the event of the abolition of purchase. A young man now entered the Army with an understanding that he must conform to the ordinary custom with regard to purchase and retirement. One effect of the proposal of his hon. Friend would be to impose a useless burden upon the taxpayers, as they would have to pay the amount of the regulation price of Commissions, while they would leave the purchase system unchecked even by the letter of the law; because, to be consistent, his hon. Friend must propose the repeal of the statute which made it illegal to pay the over-regulation price. It had been said that there was great dissatisfaction among the officers of the Army with the terms proposed. Now, although the officers would be very glad to get the terms which the hon. and gallant Member for Bewdley (Colonel Anson) sought to obtain for them—namely, the regulation price down and the over-regulation price on retirement, yet, as far as his (Sir George Grey's) information went, he believed that, on the whole, they were satisfied with the fairness of the general arrangement made by the Government, which would give to every officer now entitled to sell his commission the amount which he would be able to get under the existing system, including the over-regulation as well as the regulation price; while the effect of the hon. Gentleman's proposal would be to mulct the officers of the £3,500,000 which they had paid as over-regulation price on the purchase of their commissions, in pursuance of a long-established custom. The subject of exchanges from one regiment to another, which had been alluded to by his hon. Friend, had nothing to do with the present question, and could be argued hereafter on its merits. In conclusion, he hoped the Motion of his hon. Friend would not be agreed to.

Mr. NEWDEGATE said, as the House was now in Committee, and he was not prepared to vote any money, or any more money than he could avoid, to carry out the scheme of that clause, he should support the Amendment of his hon. Friend the Member for Birmingham (Mr. Muntz), and on the very grounds upon which the right hon. Gentleman the Member for Morpeth (Sir George Grey) objected to it. He believed that in the Army of that country they ought to have some such system as purchase, because they had no alternative practically but political selection. Now, hon. Members opposite generally—he spoke of the great body on the Government side of the House—had two objects in their minds, and they seemed quite incapable of looking beyond them. In the first place, they desired to abolish the present regimental system, because it seemed to be inconsistent with their notion of what they called "social equality." In the next place, they appeared to have determined to break up the unity of the regiment. In short, that was altogether a civilian's scheme, proposed by a very worthy civilian. It had, in his opinion, as little regard to the real status, the office, and the maintenance of the character of the British Army as it was possible to conceive. No one had denied the obvious truth — that they had an Army which had never failed them for the purposes of meeting an enemy. It was also true—that they had an Army which, by its organization, was congenial to the genius and feelings of the people of the country. Consequently, whenever called upon, it had proved itself efficient in repressing disturbance by its mere presence; they knew that, even in Ireland, the mere presence of the soldiers had often operated, owing to the congenial feeling of the people towards the Army generally, and the Army had thus prevented the necessity for the use of military force and the expenditure of blood. There could be no stronger proof of the value of the present Army organization than the manner in which the Army was regarded in Ireland. There was no country more liable to disturbance; there was no country in which the people had so often yielded to the mere persuasions of the officers of the Army. This was because the Irish people did not suspect them of having been appointed for any political or partizan purposes. Well, what was it that was now proposed? Conceal it as they would, they were copying the system of the French Army under the late Emperor. Now, everything connected with the late French Empire appeared so to commend itself to the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), that he was willing to copy its failings as well as its merits. Therefore the right hon. Gentleman was the supporter of the Government in this scheme. He prevented any division on the principle of the Bill on the second reading, and again on going into Committee. He disliked the Bill for the reason that he could not see—except the inconvenience which was said to be experienced among the officers in consequence of the system of purchase—any ground whatever for its adoption. If the officers were discontented, they would quit the Army; if purchase acted as such an obstacle as they had been told to fair promotion, those who wished to make the Army their profession would not buy Commissions and join the Army. The fact was that the real objection to the present system was this—that it was supposed to create a social distinction. Such was the virulence of the feeling thus created that they were to have the regimental system of the English Army sacrificed. Such was the virulence of this feeling that, in consequence of it, they were threatened with the disestablishment of the Church of England. Such was the virulence of the feeling that it utterly blinded those whom it impregnated to every ulterior consequence of their action. His belief was that it was impossible to replace the operation and effects of the regimental system of the English Army by any of the means suggested as consistent with this Bill. What were the effects of the system? In the first place the system of purchase operated as an insurance, carried out among the officers in the Army at their own expense, which enabled them to join the Army or to leave the Army according to their own judgment. More than that the regimental system also tested the qualities of every officer. There was no such criterion of a man's fitness of character for the position of an officer in the English Army as his being associated permanently with one regiment and a member of one mess. He had had many friends in the Army, some whom he had known from boyhood to be fit, and some whom from boyhood he had always thought to be unfit for the service; and he had observed this—he spoke it plainly—that he had observed gradually those whom he had known from want of courage or other qualities to be unfit, had left regiments not rejected by some arbitrary test which would blast their character, but induced to sell out by the consciousness that their brother officers would not like to trust themselves with them in circumstances of danger. Suppose that there was some other weakness in a man's character. There was no such criterion, as his being associated with a set of men with whom he must live from day to day, and to whom the honour of the regiment was dear. He spoke from knowledge of what had occurred among those with whom he had himself been associated from youth to manhood; and the House might depend uoon it, that if they once broke up the unity of the regiment, they would deprive themselves of that criterion of fitness which operated without disgracing those who, perhaps, if they were to remain in the regiment, might disgrace themselves. It was that system—that criterion, which inspired the common soldiers with a confidence in their officers which no other process either of promotion or of retirement from the Army that they could devise would, he believed, afford. It was quite true, as had been stated by his hon. Friend the Member for Birmingham, that they could not altogether adopt the Prussian system; but they could copy it in that, they could retain in their military system the regiment as the unit, whether it was regiment of the Line or of the Militia. The proposal of the Government now before the House was, that they should spend at least £25,000,000—for no one had placed the cost under that sum in any of the calculations he had seen or heard of—in order literally to break up the regimental organization of the English Army; and that not only of the Regular Army, but of the Militia and the Reserve forces. Now, that was no small or insignificant scheme. He did not say that the expenditure required for that object was too heavy for that country to incur; but that proposal certainly involved a very large expenditure, and it was his firm belief that there never was a more shortsighted proposal. It was, he repeated, thoroughly civilian in its conception. They would organize the whole military force of the country as a police force, and not like the English police—because in England every county retained the control and management of its own police—but like a centralized foreign police. Was there anything in the circumstances of the United Kingdom so alarming that they must have an Army for police purposes? Whilst they knew that the present system of the Regular Army had, for very many years, failed for the defence of the country against all foreign aggression, they knew how high the character of the English Army stood. They had seen lately in France the difference between the conduct of the Prussian Army and the conduct of the French Army, even among their own countrymen. He had had friends coming from France, who had told him that the French people for the most part infinitely preferred having the Germans quartered upon them than their own Army. And why was that? Because each German regiment was treated as a unit; because each regiment had a character to lose; because each individual in that regiment knew that he would be judged by his fellows—that he could not escape their judgment, and that knowledge produced the good conduct and character which had so greatly distinguished the German Armies during the last year. Such conduct and character had ever been the glory of the British service. Such was the system which they were now trying to break up; and knowing that his hon. Friend the Member for Birmingham spoke not only with English but with German knowledge, he should be happy to vote with him.

Captain VIVIAN said, he did not propose to follow the hon. Gentleman who last spoke (Mr. Newdegate) into a defence of the party which advocated the abolition of purchase; but he desired to explain briefly the effect of the Motion of his hon. Friend the Member for Birmingham (Mr. Muntz), who had informed the House that no one was more desirous than he to see purchase abolished. Notwithstanding this, his hon. Friend's speech was a speech in favour of purchase, and he now asked the House to adopt a series of Amendments the effect of which would be to strike a deadly blow at the very principle he wished to affirm. No wonder hon. Gentlemen opposite welcomed the Motion of his hon. Friend; no wonder his noble Friend the Member for Haddingtonshire came forth from his Cave of Adullam in the hope that he would be able to induce his hon. Friend to follow him into that gloomy region. His hon. Friend's Amendment would, if adopted, convert the present measure into a Bill for continuing purchase in its worst and most pernicious form, for his hon. Friend proposed that we should pay the regulation prices down and allow officers hereafter to make their own bargains. The effect of this would be immediately to raise the price of all commissions to the present regulation and over-regulation prices, because if an officer was prepared to risk £7,000 or £8,000 when half of that sum was not guaranteed by law would he not be far more ready to risk it if the principle of over-regulation prices was legally affirmed? The Secretary for War, in introducing this Bill, explained that his object was to get rid of vested interests, but said that whatever he proposed he had staring him in the face the difficulty of getting it accepted. The House must remember that last Session, when his right hon. Friend made a proposal respecting ensigns and cornets, hon. Members opposite complained of interference with vested interests, and, in consequence of their opposition, the measure had to be withdrawn. If the Amendment of the hon. Member for Birmingham were accepted, what guarantee was there that hereafter, when some future Secretary for War suggested a change which might affect the condition of the officers, the House might not be called upon to compensate them for any interest of which they might claim to be possessed? The only system that could be substituted was one according to which none but rich men could enter the Army. Then, again, no plan was more mischievous or more obnoxious than the bonus system. The hon. Member for Berkshire (Colonel Loyd Lindsay) fairly remarked, in a speech which he made two Sessions ago, that it had been argued, as one of the great advantages in the Indian system, that at certain steps officers were called upon to make contributions towards buying out officers at the head of the regiments; but those demands upon officers were made at uncertain and unexpected periods, and caused them to borrow money at usurious rates of interest; and an officer was scarcely a free agent in the matter, for it was well known that if he refused to make the contribution expected of him, means would be found to make him very uncomfortable in the regiment. That was the system which the hon. Member for Birmingham proposed to substitute for the present one, and as far as that went it would be better for the House not to make that change. The right hon. Baronet the Member for Droitwich (Sir John Pakington) had said that the Government contemplated doing a great injustice to the non-commissioned officers; but what they really proposed to do was to open the service to them, and to make true the old French saying that "a good soldier carries a marshal's bâton in his knapsack." ["Oh, oh!"] Under the Government scheme a non-commissioned officer might rise through the regimental ranks side by side with the richest man in the service. [An hon. MEMBER: So he can do now.] The hon. Gentleman knew perfectly well that it was not the case; that a non-purchase officer had to take advantage of such vacancies as might occur; that the man who could buy his steps mounted to the top of the tree, while the non-purchase officer remained at the bottom; and that if this Amendment were adopted, it would no longer be possible to promote from the ranks. The hon. Member (Mr. Muntz) further recommended the House to adopt his Amendment on the ground that the Government would not be able to stop trafficking in commissions; but they believed they would have sufficient power to do so, although it might require one or two summary examples to be made after the new system had been put in operation; and, whatever else they did, the Government would not attempt to put officers into such a position that they could refer to a Vote of the House and say the Government had no right to interfere with their vested interests; and they, therefore, asked the House not to adopt the Amendment, which they felt convinced would utterly destroy the very principle they wished to see adopted, and on which they had founded their Bill.

MR. G. BENTINCK said, he could not vote for the Amendment, although he was opposed to both the abolition of purchase and the expenditure of any public money in effecting that object, because the hon. Member for Birmingham (Mr. Muntz) only proposed to substitute a minor for a major evil, by desiring to carry out the scheme of the Government at a smaller outlay than they would make. Now, for his own part, he believed that purchases would cost a much larger sum to extinguish than was generally supposed, for he estimated the amount that would be necessary, including the capitalized sum for the retirement scheme, at £40,000,000. ["Oh, oh!"] Well, £11,000,000 would be required in the first instance, if justice was to be done to the Army; but, of course, it might meet with the fate of the Irish Church and the Irish landlords—namely, to be plundered. He was not yet prepared to say whether such would be the case or not; but if not, then it was clear that at 5 per cent the capitalized sum for retirement would amount to £30,000,000, and even if estimated at 4 per cent, the difference would not be very considerable; and it was proposed to expend that sum in order to do away with the regimental system—one of the few things of which nobody complained, and with regard to which a distinguished French General (Marshal Canrobert) once remarked to an English nobleman who held a command in the Crimean Army—"Your soldiers are the best and bravest in the world, with the exception of your officers." He (Mr. Bentinck) considered that distinguished officer almost as good a judge of a soldier as the authorities at the War Office. Then, again, how could the House sanction an enormous expenditure for a doubtful object when the country was only submitting to its present taxation for the purpose of increasing the defences of the country? He regretted deeply that the second reading of this Bill had been allowed to pass unchallenged by a division, because the House had placed itself in a false position by assenting to that course, and objecting as he did to the enormous and wasteful expenditure involved in the abolition of purchase in the Army, and glad as he would be to give a vote against the Bill under almost any circumstances, he could not support the Motion of the hon. Member for Birmingham, but should reserve his vote for the proposal of the noble Lord (Lord Garlies) to omit the clause altogether from the Bill.

MR. WHITBREAD said, that he thought the hon. Gentleman (Mr. Muntz) who had moved this Amendment ought to have placed the views he had expressed that evening before the Royal Commission. It was his decided opinion, as a Member of that Commission, that under no circumstances could over-regulation prices be "ignored:" on the contrary, it was certain that they would make themselves loudly heard. The hon. Gentleman was in favour of paying down at once the regulation price; but did he mean to suppress the over-regulation price, and to put in force the Act of 1809? If that was his object he ought to have boldly announced it, and it was certain that, in such a case, the Army would regard him as anything but a benefactor. The hon. Gentleman's proposal would prove utterly incompatible with selection or promotion by merit, and would land the Army in a system of strict seniority. He (Mr. Whitbread) also considered it manifestly unjust that officers should be compensated as purchase officers, and should still continue to hold their commissions as non-purchase officers. The one great advantage of the purchase system was that it made promotion rapid by affording to officers an inducement to retire; but if the regulation price was paid to officers they would have no inducement to retire, and the country would be compelled to adopt an increased retirement. But he thought there was no need to anticipate that day, which was what the Amendment did; and if they wanted to abolish purchase, it should be done on the lines marked out for them by a long practice, and on plans the cost of which could, in some degree, be computed. It had been said that this was a question of money between the officers and the Government; but before the Commission sat last year the general body of officers would, in his opinion, have been prepared to accept the proposal now made by the Government, but their demands had since increased. What he wanted to see adopted was a scheme which would leave the officer in no worse position with regard to the value of his commission than that in which he was before the passing of the Act; and he thought they must endeavour to do justice as far as they could, but they must remember that they had a far greater end in view, and that was, to put the requirements of our Army in such a condition as to insure the safety of our country.

COLONEL ANSON observed, that the hon. Member's (Mr. Whitbread's) speech was the first attempt to give an answer to one of the arguments he had employed the other evening, for the hon. Member was of opinion that the whole matter ought to be considered with regard to the future welfare of the Army; and he must say, on looking to the future prospects of that Army, he thought it a very bad one. Now, he would remark that it was impossible for any officer to speak upon this question without having a pecuniary interest in the matter; and he would remind the hon. and gallant Gentleman the Member for Truro that it was unusual, when an hon. Member objected to a particular tax, to endeavour to find out how much he might be interested, or to point out the exact pecuniary benefit he might have in any changes he might advocate. But the Financial Secretary had thought it right to explain to the world that he was interested to the amount of £2,300 in his Commission, and this was improved on by a Government organ at once, and it went forth to the public that he was trying to benefit himself to the amount of £10,000 or £20,000. Charges like these placed officers in a very unfair position, and were not calculated to promote the discipline of the Army. He had no fault to find with the hon. and gallant Gentleman for reading the letter the other evening which had been addressed by him to the officers of the Army. That letter, however, was marked "private," and he would say no more than that the officer who furnished it to the hon. and gallant Gentleman probably represented the type of men who would be brought to the front under the future system of selection. Now, if a war was to break out, and that war were a bloody and unhealthy one, the nation, if this Bill passed in its present form, would be directly interested in the death of its officers, and that, he contended, was an immoral position for the country, and one in which it ought not to be placed. His proposal, instead of involving an expenditure of £12,500,000, would have cost only £5,000,000, which if spread over 40 years, as it easily might be, would not amount to more than £200,000 a-year. He had, therefore, carefully considered the economical aspect as well as the officers' aspect. He would cordially support this Amendment, because he believed it to be the best way of abolishing purchase, and, above all, because he believed it to be the death-blow to the system of selection as proposed in this scheme, and which would set officers scheming one against the other, and induce them to endeavour in every way to curry favour with the Minister. The value of the regimental system, he considered, consisted in the cohesion which had existed in the ranks of the regiments, for the officers had been able to fit themselves to the regiments, and there was no cause for jealousy or suspicion amongst them. But what would be the effect of the system of selection? Why, no colonel would be able to live on the same terms with his officers, and that would lead to the establishment of cliques in the different regiments. Many references had been made to the Prussian system; now, that system guarded against anything that might be likely to cause jealousies amongst the officers, and he believed that in the Prussian Army such a thing was unknown as the selection of one officer to go over the head of another; but under the system now proposed colonels might be taken from one regiment to another. And what might happen? Why, the colonel would be entirely dependent upon the adjutant, who would be really the commanding officer of the regiment. That system could never work well, and least of all in our own Army. Before handing over such a vast power and so much patronage into the hands of the Secretary of State for War, they ought to have some guarantee that the power of selection would be carried out in a fit and proper manner. The right hon. Gentleman at the head of the War Department evidently relied greatly upon the Royal Commission of 1856, who had reported in favour of the principle of selection up to the rank of colonel; but the right hon. Gentleman had evidently lost sight of the fact that one-half only of the Members of that Commission signed that Report, and did so apparently in fear and trembling. All the witnesses upon whose evidence that Report was based were, with two exceptions, opposed to promotion by selection in any case other than for the command of a regiment. These two exceptions, men of stupendous common sense no doubt, but as ignorant of the Army as the man in the moon, were Mr. Higgins and Sir Charles Trevelyan. When Mr. Higgins was asked what he thought the feelings of a man would be if he were passed over by selection, he answered that it would lessen the dissatisfaction very much when a man could say to himself—"If I had been industrious, and attended to my studies and exercises, I should have been as efficient as my successful brother officer." A man who would say that deserved to be kicked out of the regiment. Why, Lord Sandhurst, who, he understood, had a considerable share in drawing up the Bill, appeared to be the only person in the Army in favour of the system, notwithstanding that he had recorded a most determined protest against it in 1859, when Sir Hope Grant was appointed to the command in China, Sir William Mansfield was nominated his lieutenant; but he declined to serve in that capacity, on the ground that it was "not conducive to good discipline that he should serve under his junior." As regarded the purse system, for such the proposal of the hon. Member would virtually establish, there was nothing immoral in it, and the evidence upon the working of the system in India showed that it was always carried out with due regard to the position of the officers concerned. There was one other matter which he wished to point out. It was most necessary for good discipline that an officer should have some pecuniary interest in his commission beyond the wretched pittance he received as pay, for if he had no such interest, what control would his superiors have over him? If he chose to disobey an order, he would do so and leave the service. Her Majesty's Government need not be afraid that the adoption of this system would raise the over-regulation prices. On the contrary, these prices would fall, for one of the objections entertained against the system was, that it was mixed up with the regulation system, and when the regulation system was swept away there would not be the same inducement to pay high prices, for there would be no supercession of one officer by another. This was a subject of vast importance. It was all very well to say that the officers of the Army were very well contented with these arrangements; but he did not know what means those who said so had of ascertaining the feelings of the officers upon the subject, for the officers of the Army stood in a totally different position to any other class of the community. They were unable to meet together, or to express their opinions in the Press, or even to petition; they were the only class that could not make their feelings and wishes known to the Legislature; and it was very difficult to tell what the real feeling of the Army was on that question. It was perfectly true they were the servants of the country; but, nevertheless, they had as much right to be heard as any other section of the community. He utterly denied that the Secretary of State or his Colleagues, backed though they might be by large majorities in that House, ought to be the sole judges of that question as regarded the officers and the future efficiency of the Army; and he appealed to them to allow the subject to be discussed for a fortnight before a Select Committee of that House. It was only by some such means that they could do justice to the actual mode of abolishing purchase, and to the various minute points that must arise in respect to which the officers felt deeply injured; and he hoped the Government would find it consistent with their dignity to allow the purchase clauses to be discussed before a Select Committee, or to withdraw them and refer their subject-matter to a Royal Commission, while the rest of the Bill was proceeded with.

Colonel NORTH said, it had been stated by the hon. Member for Birmingham (Mr. Muntz) that the Secretary of State was to have the power of removing officers from one regiment to another, and what he had to complain of was that the hon. and gallant Member for Truro (Captain Vivian) did not deny that statement, for nothing could be more tyrannical than that any man should have such a power as that. Another statement which had been made partook largely of the nature of clap-trap—he referred to the remark that every English soldier would carry a marshal's bâton in his knapsack. That statement was made in the face of the fact that there were hundreds of cases in which non-commissioned officers had refused to take commissions because they felt that they could not get on if they accepted them. What were the facts? An officer by purchase was enabled to get his step in two years; but these men were required to serve for six, seven, or nine years before they got their step, there being a sort of feeling with the authorities that an empty head invariably accompanied an empty purse. Fault had been found with the letter written by the hon. and gallant Member for Bewdley (Colonel Anson); and, as an old officer himself, he could not exactly approve that step; but on a question like that, affecting the dearest interests of the Army, the Secretary of State should himself have got the officers out of the dilemma by ordering the commanding officers of regiments to ascertain the true feeling of the Army. If that had been done, that objectionable Bill would not have been introduced; and he should oppose it as long as he had power to do so, whether he was accused of factious conduct or not.

Sir CHARLES WINGFIELD said, the bonus system in the Indian Army led to universal indebtedness, and officers, owing to their obligations towards the banks, often had not the means of keeping up a decent appearance; and, moreover, there were always some officers unable or unwilling to find the money, and their position was not very comfortable, though far more endurable in India than in this country, because they could reasonably hope to be removed to Staff or civil employment. He would also quote the opinion of the lieutenant colonel of a non-purchase corps in this country which had adopted the bonus system, to the effect that the system of allowing officers to make what pecuniary arrangements they pleased as to retiring was not popular with all, and that under it a degree of pressure was put upon officers which engendered ill-feeling. Another officer, a captain, stated that the system of purchase as it existed in non-purchase regiments was the worst possible; and that officers in such regiments would infinitely prefer the purchase system as it existed in other regiments. This appeared to him to be strong evidence against the proposal to allow a private purchase or bonus system. If the proposition of the hon. Member for Birmingham (Mr. Muntz) were adopted the Government would find themselves hampered hereafter by this system of private purchase when they might wish to reduce the number of regiments or alter their organization. Although at first they might decline to compensate the officers for the abolition of private purchase in their regiments, the force of public opinion—as it had done in the case of the amalgamation of the Indian with the British Army in 1861—might prove too strong for them, and they would be compelled to give compensation for putting a stop to a practice they had themselves encouraged. Objecting, as he did, to the purchase system as a whole, he still more objected to any particular part of it being retained. Although he admitted the force of the point urged by the hon. Member for Birmingham—namely, that it was a bad system to pay men for violating the law, still he must express his entire approval of the determination of the Government to pay the over-regulation prices, because the system of over-regulation prices could never have grown up had it not been for culpable negligence on the part of the military authorities and of the representatives of the nation, who ought, therefore, to pay for abolishing it. In conclusion he would say that, as far as he could gather, the officers of the Army would prefer that the system of purchase be retained; but admitting that it must be abolished, they were not dissatisfied with the terms of compensation proposed by the Government.

Mr. CORRY said, he felt sure that if the right hon. Gentleman the Secretary of State for War had ever served at the Admiralty he would have shrunk from undertaking the invidious task of introducing promotion by selection into the service over which he presided. In the Navy all promotions in the executive line under the rank of captain went by selection, and as he was always of opinion that promotion by strict seniority would be death to any service, he had made it a rule, when First Lord of the Admiralty, to promote a limited number of junior lieutenants over the head of their seniors. His rule was to select only such junior lieutenants for promotion as had been mentioned with great distinction in *The Gazette* for service before the enemy, except in the case of two or three who had been recommended by their commanding officers as singularly efficient and deserving of promotion. This, of course, did not give satisfaction to those who had been passed over; but the soundness of his judgment was shown by the fact that the junior officers so promoted were selected, in almost every instance, by captains to serve as commanders almost immediately after they had received promotion. But notwithstanding this testimony in favour of his impartiality, he usually read in *The Naval and Military Gazette* on the Saturdays following these exceptional promotions "that he was one of the most jobbing First Lords that had ever sat at the Admiralty." The right hon. Gentleman hardly knew what a hornets' nest he would raise about him by introducing the system of selection into the Army.

Colonel SYKES said, that as the principle of the Bill had been resolved upon it was a mere waste of time to go on discussing it. He had been astonished at the ignorance of his hon. and gallant Friend the Member for Truro (Captain Vivian), and of the hon. Member for Gravesend (Sir Charles Wingfield), both of whom had talked about the bonus system of India as being the worst system that had ever been invented; on the contrary, from his own personal knowledge he knew that ninety-nine-hundredths of the Indian officers supported it, and it was from their appeal to the Court of Directors of the East India Company and the Board of Control that the system was sanctioned in 1837, and without its aid the block in promotion could not have been alleviated. It worked in this manner—an officer who was obliged to retire from ill-health or old age received a certain amount or bonus, which was made up by the contributions of the officers generally, each paying a proportion according to his rank in the regiment; and he must again say that system had been found to work most beneficially and harmoniously. If the system of selection were adopted, he (Colonel Sykes) believed that it would lead to much trafficking and favouritism; and, however anxious the authorities might be to act fairly in the matter, he was confident that it would lead to many abuses, and the authority making the selection, though he were an angel, would be exposed to suspicion.

Colonel CORBETT said, although he did not like the Amendment of the hon. Member for Birmingham (Mr. Muntz), still he thought it was so much better than the proposal of the Government that he should support it. The system of purchase was, in itself, a system of self-acting retirement, for under a system of selection, where the mass of the officers of the Army were men highly qualified, how was selection fairly to be made? And selection would not ensure the retirement of those who were not promoted, as was fully proved by experience in the non-purchase corps and the Navy. On one point he should like to have further information—namely, as to the period of service of Militia adjutants. If the adjutants were to be removed every five years much of the valuable experience which those officers had obtained in the matter of recruiting would be lost. Now, in respect to the changes from the Militia to the Line, they were told that there were disturbing elements in the case; and one of these was the closer amalgamation of the Militia with the Line; and another was this precious scheme of selection. In regard to the former, he did not think there was any difficulty in passing from the Militia to the Line, for he recollected that during the Crimean War there were four Militia officers who obtained commissions in the regiment which he had the honour to command. But he could not well understand how the scheme of the Government in this respect was to be carried out, considering that the officers of the Line were paid the whole year round, but the Militia officers were only paid for the month; and, therefore, the proposed arrangement would, he thought, create much difficulty and inconvenience. And as to the system of selection, how could a fair system of selection be carried out amongst so large a number of officers, all equally well qualified? Why, during the last year of Lord Palmerston's life that noble Lord expressed a strong opinion against this system of selection, saying it was only fit for a despotic Government.

Mr. SINCLAIR AYTOUN said, he agreed so far with the hon. Member for Birmingham (Mr. Muntz) that he thought it far better that this money should be paid to the officers at once. At the same time, he did not see upon what principle the country should be called upon to pay the over-regulation price. He had the strongest objection to the principle of selection in the regimental ranks of the Army, and if such a system were adopted, he thought it would lead to much jobbery and unfairness. As far as his experience went, he believed that interest did everything and meant little or nothing. He wished, however, to point out one inconvenience which he thought must follow the adoption of the Amendment of his hon. Friend the Member for Birmingham, unless some other alteration be made in the clause to remedy it. By the omission of the words proposed the effect would be to re-enact the offence of buying and selling commissions at the over-regulation price, whilst the clause would leave out that part of the Act of 49 *Geo.* III. c. 126, which imposed penalties for such offences. While expressing a hope that some explanation would be given to the House on this point, he would conclude by saying that he desired to support the objects which the hon. Member for Birmingham had in view.

Mr. GOURLEY said, he should vote for this Amendment unless the Secretary of War could disprove the figures of the hon. Member for Birmingham (Mr. Muntz). The primary object of the Bill was the re-organization of the Army, and if that could not be attained without the abolition of the purchase system, by all means let us get rid of it at once by adopting the Amendment of the hon. Member for Birmingham. We should then have to spend only £7,500,000, instead of something like £21,000,000, which would have to be expended if the plan submitted by the Government were carried out.

Mr. G. B. GREGORY admitted that the Amendment was not wholly free from the objection raised by the hon. Member for Kirkcaldy (Mr. Sinclair Aytoun), and that if passed it might create an offence with no penalty attached to it; and he would suggest the introduction of certain words into the Schedule, or the adoption of a short clause reviving the penalties. He assumed, however, that the hon. Member for Birmingham (Mr. Muntz) intended to raise the general question of the over-regulation prices, thinking it would be easy at a subsequent period to remedy the defect which had been pointed out. He protested against the doctrine laid down by the hon. and gallant Member opposite (Colonel Sykes), that the House was precluded from raising this question because it had acquiesced in the second reading of the Bill. The question was whether the abolition of over-regulation price was practicable or advisable? He believed that if it were abolished to-morrow it would be carried on again in another form. The hon. and gallant Gentleman the Member for Truro (Captain Vivian) had stated, as the advantage of the present Bill, that it would enable men in the ranks to obtain commissions, and, in fact, realize the conditions of the French Army, where, as had been said, every soldier carried a field marshal's bâton in his knapsack; but he doubted whether in the British Army this would be much of an advantage, or whether the men themselves would thank Parliament for the privilege, unless accompanied with an increase of pay. There were instances of men who had declined commissions when offered to them; and, when accepted, they were generally regarded by the recipients as stepping-stones to some small appointment—that of quartermaster, for instance—in the regiment, by means of which they could live, for they could not hope to be able with their pay alone to mix on equal terms with their brother officers, who were men of fortune. Under these circumstances, he deprecated the expenditure that would be necessitated if the Bill passed.

Mr. M. CHAMBERS said, that when he read the Motion of the hon. Member for Birmingham (Mr. Muntz) he thought the expediency of the abolition of purchase was to be raised by it; but the speech of the hon. Member showed that he simply wished for one evil—admitting purchase to be an evil—to substitute another, the prevalence of which in the service of the East India Company had inflicted serious injuries upon officers compelled to subscribe to the fund or bonus to purchase out their superiors in rank. This system, it had been well observed, weighed with peculiar hardship upon the subalterns and those who depended entirely upon their pay, who were obliged to borrow money at a high rate of interest, and their military career was relinquished or became a state of constant embarrassment and difficulty. The introduction of this plan, therefore, was not likely to encourage promotion from the ranks or to benefit men thus promoted; for instance, a non-commissioned officer, when made an ensign or cornet, could not be expected to raise the subscription which would be required for further promotion. He, for one, was not convinced that the abolition of purchase was desirable in the present state of the British Army. Many advocates of the abolition of purchase seemed to be unaware of the fact that, at the present moment, promotion by purchase and by merit existed concurrently in this country. There were certain commissions given without purchase to cadets from Sandhurst and to other persons after passing competitive examinations, and there were also other commissions which the Government held in their possession and conferred upon soldiers as the reward of distinguished merit. This fact ought to be carefully borne in mind in considering this question. Besides the two classes of commissions—those originally purchased, and those that officers were entitled to purchase on rising to the head of their respective ranks—there was a third class, those conferred on non-commissioned officers; and he agreed with the hon. Member who had just sat down (Mr. Gregory) in thinking that this third class ought not to be given without an increase of pay. One inestimable, social, and constitutional advantage not sufficiently considered resulting from the mixed character of our Army in this respect was, that when revolutionary ideas were propagated officers did not begin to ask themselves, as they did elsewhere, whether they were to be benefited by change; but, their interest being already identified with the maintenance of the existing order of things, they became a source of safety and security, which they could not be under a different system, in which every man was expecting to find a marshal's bâton in his knapsack. It was true men had risen from the ranks to become general officers, but it was in time of war, and, if war occurred, similar promotion might be made with advantage; but the British officer, however noble or wealthy, had never shirked danger, even though the loss of a fortune might be involved in his death; and it was desirable to maintain for our officers the character they had universally won of generous enemies of humane gentlemen. It was clear that some at least of the German officers were not gentlemen of polished manners; and the misfortune of the French Army had been, that it contained many officers who had risen from the ranks, and that relaxation of discipline had been the consequence. The hon. Member for the Border Burghs (Mr. Trevelyan) had succeeded in persuading large meetings that it was easy to abolish purchase; but the hon. Member for Birmingham (Mr. Muntz) undeceived many on that point, for, while favourable to the abolition of purchase, he came to the conclusion that the plan of the Government would be enormously expensive. In fact, he said, it would cost £30,000,000; but the hon. Member for West Norfolk (Mr. G. Bentinck) calculated the cost at £40,000,000: he might be partially wrong, but the result had been arrived at by two different modes of calculation. Such was the cost of this very doubtful experiment. He went entirely along with those who said that the system of selection, miscalled merit, was likely to be an exceedingly bad one, and he was decidedly opposed to the breaking up of the regimental system: he therefore asked what benefit they proposed to confer on the Army and the country for the enormous sum of money which must be expended for the abolition of purchase? It was next to impossible to deal with this large subject without giving the extra regulation price into which the Government had lured officers. In justice, equity, and honour they were bound to do this; he, therefore, trusted the Government would re-consider this important question. Let them just strike out of this Bill the four clauses relating to the abolition of purchase, and then they would have no difficulty in proceeding with the other clauses for the re-organization of the Army, and for making it a splendid, strong, and efficient force.

COLONEL ALLEN said, that assuming purchase was to be done away with, the only question was how it was to be paid for. Having looked into the figures, he must protest against this scheme. He was going to visit his constituents next week, and he should be glad to have their opinion on the subject.

MR. MACFIE said, he should be afraid to meet his constituents if he supported this scheme without much more definite explanations than they had yet received. He thought that, while they provided for the Army and Navy, the security of the coasts, and particularly the Scottish one, ought not to be neglected.

SIR TOLLEMACHE SINCLAIR objected to the payment of over-regulation price, because he believed that such a payment would create a bad precedent; and when he recollected that the present Government introduced a Bill, by which the licensed victuallers were to receive a sum not amounting to one-half of the money they deemed themselves entitled to, he did not see how they could adopt the Government proposal for compensating officers in so very different a way; and for that reason he had proposed an Amendment, to the effect that if officers received prompt payment of the regulation price, they should give up their claim to the over-regulation money. He thought it iniquitous that the widow and children of an officer who died should be deprived of the value of his commission, and he had placed on the Paper an Amendment for the purpose of preventing that injustice being done. The officers of the future would have about £320,000 added to their pay, being about 4 per cent on £8,000,000, and he, therefore, wished to know why the present officers should be deprived of the same advantage. He thought it only fair to the present officers that they should receive the regulation value of their commissions down, and he should therefore support the Amendment of the hon. Member for Birmingham.

DR. BREWER said, that if the regulation price was given, retirement must be made a *sine quâ non*. The hon. Member for Birmingham (Mr. Muntz) proposed not to allow the over-regulation price; and that, he thought, was a correct proceeding, for the over-regulation price being contrary to law was contrary to morality.

COLONEL STUART KNOX said, that the hon. Member opposite (Dr. Brewer) had said that the soul of discipline amongst the officers of the Army was promotion; but he (Colonel Knox) believed that the soul of discipline was loyalty, honour, and affection for the service. One thing seemed to have been forgotten during this debate, and that was the feelings entertained by the soldiers in reference to the proposed change. It had not been shown that they desired any change, and it was well known that they liked their officers, and would always follow them with pride and pleasure wherever they led. At present we had the best officers that could be got, and they could educate them to a higher pitch if it should be thought necessary. He did not particularly like the Motion of the hon. Member for Birmingham (Mr. Muntz), which was, that the regulation price should be paid, and that officers should be allowed, among themselves, to make all other arrangements with regard to retirement; but if purchase were to be got rid of, he believed that the carrying the Motion would tend to keep together the regimental system, upon which the English Army depended. He should oppose the Bill in every way that was open to him.

Mr. HEADLAM thought that his hon. Friend (Mr. Muntz) had raised this important question very fairly at the proper time immediately after the Preamble of the Bill. When the Bill was first circulated, he (Mr. Headlam) came, after consideration, to a conclusion similar to the one embodied in the present Motion, and expressed that opinion in the debate upon the second reading; and he was glad soon after to read a letter of Sir John Burgoyne to *The Times* to the same effect. He agreed that purchase ought to be abolished; but by "purchase" he meant that system to which the Government was a party—that system under which every young officer joining the Army was compelled to pay a certain sum, and under which officers were compelled to pay certain sums to the Government for every step of advancement in their career—all which sums were appropriated by the Government, or applied in discharge of liabilities which the Government have incurred to other officers. It was clearly necessary, in order to get rid of this sytem, that the Government should repay the sums it had received, and if it was determined upon by the Legislature that the change should be made, then the sooner the repayment was made the better. There was no doubt force in the objection that after the system were abolished, and the regulation prices paid, retirement would not be so rapid as heretofore; but that argument was no reason for delaying the repayment and postponing the commencement of the new system. If the argument were valid at all it was good for the retention of the whole system. There were, no doubt, advantages in the system of purchase, and it was in some respects economical to the State; but balancing the evil and the good, he had come to the conclusion that the system should be abolished; and, if so, the sooner the better. The argument had been used that with respect to regulation prices the Government incurred no liability, and was only the agent to transfer a sum from one officer to another. If this argument were good, it would be difficult to justify the present proposal to make the taxpayers of the country pay off these sums; but the argument was not valid, and the part the Government took in these transactions was not that of a disinterested agent for the transmission of a sum of money from one officer to another; but the Government was a principal in the matter. With respect to regulation prices, the liability of the Government was precisely the same as the liability of the owner of an estate which had been mortgaged a hundred years ago, and which had descended subject to the charge to the present time. The owner of the estate became liable in the first instance, and the subsequent assignments of the mortgage to different individuals never discharged that original liability. So, in like manner, the State became liable when it first sold the commissions, and the subsequent transfers of the charge from officer to officer never discharged the liability incurred by the State. But with over-regulation prices the case was totally different, for they were payments from officer to officer. The Government had never received them, and therefore, if it should be found proper to pay them also, the decision to do so must rest on grounds wholly different from those that had guided their judgment in the case of regulation prices. Now, what the Royal Commission had reported on this subject was undeniably true—and in this he concurred with the right hon. Baronet the Member for Morpeth (Sir George Grey)—that the country had acquiesced in the system. It seemed to him, therefore, that if they meant to substitute the system of selection for the regimental system, they were bound to recognize the over-regulation prices, but that if they retained the regimental system, or promotion by seniority, they were not bound to recognize them. Over-regulation prices were the natural, the necessary, the inevitable growth of the regimental system, and if it were maintained, they would continue to flourish with it: there was no instance on record of the regimental system without them. The reason was obvious, for where regimental promotion depended upon the retirement of senior officers, pecuniary inducements would be held out to them to induce them to retire; and, consequently, if they suddenly altered the system they must, in fairness, pay to the officers the sum which they had invested on the natural presumption that the same system would continue. They had been told, indeed, that the Government had some hidden, unexplained method in view, by which approaching vacancies should never become known until they had been actually filled up; but it was safe to foretell that no such device could be practically possible. If the regimental system is to continue, then over-regulation prices will continue, and must be tolerated, even if we now paid a large sum to get rid of them who shared the regimental system, they would grow up again. The Duke of Cambridge, in his evidence before the Royal Commission, frankly admitted that though he would jump at any scheme for stopping the paying of over-regulation prices, no such scheme had ever been submitted to him, nor had he succeeded in devising one himself. That being so, the Government had, nevertheless, asked the taxpayers to supply a large sum of money, on the mere vague statement that they had discovered some unknown and unimaginable method of at once maintaining the regimental system and extinguishing over-regulation prices. All experience pointed the other way, and it was too much to expect the Committee to trust to an assertion that was not supported by any sort of evidence. He quite admitted that, under a rigid system of selection, over-regulation prices would cease to be paid; but the regimental system would at the same time cease to exist, and the Army would come to resemble the Navy, the central authority being the Secretary of State for War, to whom the eyes of all who expected or merited promotion would be turned, and under such a *régime* favouritism would most assuredly flourish to a large extent. He agreed with Sir John Burgoyne in objecting to the system of selection, and it would be for the Committee to decide whether it would be wise to pay a heavy price for it. For himself, he had no hesitation in saying that if the system of selection could be substituted for the present system without the payment of anything, he would not have it as a gift. He was quite prepared to accept the suggestion of Sir John Burgoyne, to the effect that the present practice of promotion by seniority should be so far modified as these incompetent officers should be passed over, and, in special cases, extraordinary merit cause exceptional promotion, seniority, however, being followed as a rule. If only such exceptions were made, there would be no necessity for paying the over-regulation prices. Sir John Burgoyne approved of the bonus system as beneficial to the service, and argued that private arrangements of this description between officers should not be interfered with. Moreover, as regarded the officers themselves, the bonus system was really of a provident nature, for the officer paid when young and received when old; and in the long run received as much as he had paid. The opposition to the Bill was founded on a belief that the regimental system would be destroyed, and a system of selection substituted for it. The opposition to the Bill was called forth by the general belief that the regimental system would be destroyed, and that no sufficient cause had been established for the destruction of it, and the substitution for it of the system of selection. The present system, as modified by the suggestions of Sir John Burgoyne, would be very near the German system, and he thought it would be much wiser for the Government to adopt these comparatively small modifications of the present system, and thus save the country the payment of the over-regulation prices.

COLONEL BARTTELOT remarked that the arguments put forward during that debate had really been in support of the ancient custom of purchase, for no one had shown any necessity for abolition of purchase, except upon sentimental grounds, and he would like those who took that view to point out how purchase had failed to supply the Army with good and efficient officers; but, if abolition of purchase was not sanctioned by the Committee, it would be unwise of the Government to withdraw their Bill. He believed some hon. Members would support the Bill simply because of the threat which the Government had held out. For his own part, he had no wish for the Government to go out at this particular time; but if hon. Members thought a measure unwise, imprudent, and opposed to the interests of the country, the Government had no right to turn round and say—"If you do not carry this measure we will go out." He regretted that they had not divided on the second reading; but they at the time had had five nights' debate on the question, and subsequently they had discussed the Amendments of the hon. and gallant Member for Bewdley (Colonel Anson), and the noble Lord the Member for Haddington (Lord Elcho). Yet during that time they had not received any information from the Government, neither had they any guarantee that, if purchase were abolished, the reforms promised by the Government would be carried out. Under this proposal of the Government gross injustice would be done to those deserving officers who wished to remain in the service, and for that reason he should have preferred a return of the whole of the money which had been paid; but he approved of the Amendment of the hon. Member for Birmingham (Mr. Muntz), because it gave a partial return—namely, the regulation price. Even if that should be paid he should adhere to the opinion he had already expressed, that the over-regulation price could not be ignored. With respect to the system of selection, which was the very marrow of the question, he believed that it would destroy the *esprit de corps* which now existed. The hon. and gallant Member for Bewdley (Colonel Anson) had mentioned the case of Sir Hope Grant and Sir William Mansfield, respecting the command of the former in China. Sir Hope Grant having brought the Chinese Expedition to a successful close, returned to his Presidency in Bombay, and served in that position after Sir William Mansfield was appointed Commander-in-Chief of India. Sir Hope Grant was afterwards recalled, and appointed to a position in the Horse Guards. In cases of less note the ill-feeling that would be caused in a regiment by an officer being brought in to command that regiment could be easily imagined. Upon the subject of compensation, he would ask the hon. and gallant Member for Aberdeen (Colonel Sykes), who had made a long speech in favour of the Amendment and then said he would vote with the Government, whether it was right not to return to officers the sum they had spent for their commissions?

COLONEL SYKES said, the whole of the sum subscribed by officers for purchasing their commissions should be returned to them upon resigning.

COLONEL BARTTELOT said, he must contend that it was politic to pay the money down that a premium might not be offered for resignation, especially as the proposal to pay only those who resigned would be unjust to those officers who desired to remain in the Army from love of the profession. He must declare his intention of voting with the hon. Member for Birmingham, and would repeat the demand upon the Government for their retiring scheme, that the country might know what the full cost of the abolition of purchase would be.

MR. RYLANDS said, that he entertained a very strong objection against the recognition in any way of over-regulation prices, and should oppose the payment of them; but as a compromise, he should be willing to support an arrangement under which officers should at once receive the sum they had actually paid for their commissions under Her Majesty's regulations. But the Secretary at War said that "if you abolish regulation, and leave over-regulation, you will have paid your £7,000,000, and you will not have attained your end; you will have incurred the burden, and the system you have desired to abolish will remain in full force." But surely the right hon. Gentleman, on consideration, will not maintain that that is a correct statement of the case. If purchase were abolished by the payment of the regulation price, the most vicious element of the system under which a junior could buy promotion over the heads of his seniors would absolutely cease, and therefore the system would not in any case remain in full force. He had understood his hon. and gallant Friend the Member for Bewdley (Colonel Anson), to say that the officers of the Army would be ready to accept the regulation price down, on the understanding that they were not to receive the over-regulation prices. ["No, no!"] Well, that, at least, was the basis of the proposed compromise, and now he was surprised to find that another condition was introduced, and that it was contended that, as part of the arrangement, the Government should be bound to maintain the existing system of regimental promotion. He entirely declined to fetter the action of the War Office in their plans for the re-organization of the Army; if they believed that they could carry out the principle of selection, he was quite willing that they should try it. He entirely dissented from the opinion just expressed by his right hon. Friend the Member for Newcastle (Mr. Headlam), that if the principle of selection were introduced, and the regimental system destroyed, the over-regulation prices must under those circumstances be paid. He (Mr. Rylands) contended, that no circumstances whatever could justify that course, and that if the Government paid a large sum of money out of the public taxes to compensate officers for committing acts for which they were liable by law to fine and imprisonment, they would adopt a policy that would have a very bad moral effect. His hon. and gallant Friend the Financial Secretary of the War Department (Captain Vivian) had said that, in order to stop such practices in future, in would be only necessary to make two or three summary examples. But did the Government mean to tell them that after paying men for doing that very thing, it would be at all probable that such breaches of the law would be prevented by making some summary examples? It had been stated by hon. Members that a sufficient safeguard against illegal payments would be secured by requiring a declaration of honour on the part of officers obtaining commissions, and when, on a former occasion, he alluded to the fact that such declarations were formerly taken and entirely disregarded, the right hon. and gallant Member for Shropshire (Sir Percy Herbert) objected, because the declaration was withdrawn in 1824. The right hon. and gallant Gentleman appeared to think that the question of honour was barred by the statute of limitations; but he (Mr. Rylands) held in his hand a Circular from the War Office of so recent a date as October 1st, 1869. It was a Circular addressed to Lords Lieutenant of counties, and was signed "Edward Cardwell." It was to this effect—

> "My Lord, I have the honour to inform you that I have decided on adopting the following course in regard to the appointment of Adjutants of Volunteers with a view of preventing the very discreditable practice of the purchase and sale of these appointments, which I am led to believe still exists to a great extent."

Now, he wanted to know from the right hon. Gentleman, whether these words meant anything or nothing? The Circular then proceeded to lay down regulations of a stringent nature to prevent this discreditable practice. They were as follows:—

> "1. In the event of the retirement or resignation of an adjutant, no recommendation in favour of a successor will be made to this Office, until such retirement shall have been carried into effect, or such resignation shall have been accepted by Her Majesty.
>
> "2. In forwarding any recommendation of a successor, the Lord Lieutenant will append the following certificate, signed by the commanding officer of the corps or administrative regiment concerned, as the case may be:—I certify that A. B. has not been nominated by the late adjutant, and that I do not believe the late adjutant will in any way derive any recompense, reward, or gratuity in consequence of the resignation of his appointment, except the retired allowance granted to him under Her Majesty's warrant, dated 19th June, 1860, in consequence of his retirement from his appointment.
>
> "3. No promise can be made that any vacancy which may occur will be filled up, or, if it be filled up, that some officer whose services may not be required in his present appointment will not be transferred to it."

He again asked the Secretary for War whether these regulations meant anything or nothing, and whether any single step whatever had since been taken to give effect to them? But that was not all the precaution taken against this "very discreditable practice." The Lord Lieutenant's recommendation had to be accompanied by the following declaration:—

> "I (A. B.) do hereby declare upon my honour, as an officer and a gentleman, that in order to obtain the appointment of an adjutant and acting paymaster in the —— Regiment of Volunteers, I have not given, paid, received, or promised, and that I do not believe anyone has for me given, paid, received, or promised, directly or indirectly, any recompense, reward, or gratuity to any person or persons whatever."

Precisely the same precautions were taken in the appointments of adjutants of Militia, and yet, despite the certificates of commanding officers, the watchful regulations of the War Office, and the declarations upon honour as officers and gentlemen, it was notorious that these commissions were invariably paid for. The Secretary at War had pointed to the only effectual means of preventing illegal payments for commissions, and that was by a general system of selection. The right hon. Gentleman said—

> "If the Government are to select officers, over-regulation price will of itself die out, and the day after selection becomes the rule, over-regulation prices are gone."

He (Mr. Rylands) did not venture to express any opinion as to the advisability of carrying out selection as the rule, and he wished to leave the question entirely in the hands of the War Office; but no one could have listened to the debates on that subject without feeling that promotion by selection as the rule was a matter of much doubt and difficulty. There was, at least, the possibility of the system of selection turning out to be one of favouritism rather than of efficiency, and of the exercise of the patronage of the Horse Guards, and of the War Office, creating dissatisfaction both in the Army and in the country. In that case, the plan of selection might break down, and they would have as a rule to fall back upon seniority. If such a break-down occurred would not a bonus system inevitably spring up?—and then the country would be in the position of having paid several millions to compensate officers for an illegal practice, while they would be unable to prevent another illegal practice of paying for promotions arising, although in a much less objectionable form. The right hon. Baronet the Member for Morpeth (Sir George Grey) had urged that officers had a right to receive from the Government the over-regulation price, because they had paid it in the confidence that it would be recognized as legitimate; but he (Mr. Rylands) had reason to believe—and no doubt many hon. Members would have still better reasons for knowing—that officers in paying these prices felt that they did it at their own risk. He held in his hand a letter which he had received from a major general, who stated that he had served regimentally more than 30 years, and commanded a regiment for seven years, and was all the time well aware that extra prices were illegal, and made at the risks of the officers concerned. There did not appear, therefore, to be the slightest reason for compensating these officers for breaking the law, and he should oppose it by every means in his power.

Mr. A. GUEST said, that every purchasing ensign paid the Government £450, the yearly interest upon which at 5 per cent would be £22 10*s*. He wished to know whether, after the abolition of purchase, every officer who had purchased his commission was to be placed in respect to pay in effect at a disadvantage of £22 10*s*. per annum until he left the service, as compared with officers who subsequently entered the service. He hoped the Secretary of State would make that point clear.

Mr. ANDERSON regretted being obliged to oppose the Amendment, because he highly disapproved of that portion of the Bill which recognized the over-regulation prices. He felt satisfied that a system of seniority tempered by selection, as it had been described, would only give rise to a second bonus system, and the country would ultimately find itself in the position of the Government having paid one over-regulation price, and the officers another. Such a contingency might be avoided by constant selection; but if that selection were merely to be confined to passing over individuals for incompetency, every man in the mess was quite as able to guage the qualifications of the next in succession as was the Horse Guards itself. Every man in the mess would know whether the promotion was likely to be kept in the regiment or transferred elsewhere, and thus it would be quite easy to get up a system of paying bonuses. With respect to the question before the House, whether the purchase money ought to be paid down at once, or when the officers retired, he thought that the right time was undoubtedly upon retirement. The transaction was to be regarded in the light of a selling out. The Government put itself in the position of a purchaser and bought out the officer. Therefore, the proposal to pay the money down now, either implied that the officers should go out at once, which the country could hardly afford, or that a gift of their commissions should be made to the officers, after having paid them the regulation price. Such a procedure would be exactly analogous to that of a person buying a commodity and paying for it, and then handing it back to the merchant from whom it was bought. That certainly was not the way to manage any mercantile transaction. Unreasonable, however, as was this proposal, it was not so bad as the one proposed the other night, that the regulation money should be paid down now, and the over-regulation price upon retirement. He thought it would only be fair if the country were asked to put down the over-regulation price — that the officers should be asked to put down every step of their rank and every shilling of the extra pay they had gained through all those years by their purchases. That, however, was quite impracticable, and as such a scheme of accounting could not be carried out, he saw no reason either why the proposal to pay the over regulation prices should receive more consideration. Somebody had contended that it was an immoral thing for the country to gain by the death of its officers, but if that were true it was likewise as truly an immoral thing for officers to gain by the death of their seniors. For these brief reasons he felt it his duty to oppose the Amendment, reserving till the Amendment of the hon. Member for Warrington came on for discussion, his remarks upon the over-regulation price proper.

Sir JOHN PAKINGTON, in explaining the reasons for the vote he intended to give, said, he would refer to the declaration of the hon. and gallant Member the Financial Secretary to the War Office — the only Member of the Government who had spoken on this subject to-night—that he should oppose the Motion of the hon. Member for Birmingham (Mr. Muntz), on the ground of the effect it would produce upon the taxpayers of the country, and would point out that the question before the Committee could not be argued upon that ground. Indeed, as far as the proposal of the hon. Member for Birmingham went, it appeared to him to be in favour of the taxpayer; because, if the officers in the Army were to receive the price of their commissions at once, the Government would be under the necessity of raising the money by loan, and thus the taxpayer would be saved the burden of the penny income tax which the Government had imposed upon the country, in a large degree, on account of the increased cost of the Army and the Navy. The hon. and gallant Secretary had referred to an argument he (Sir John Pakington) had made use of the other evening with regard to the effect which this proposed change would have on the non-commissioned officers, who might have their commissions conferred upon them—namely, that if they were to be deprived of their £100 a-year for foreign service and £50 a-year for home service, and the full value of their commissions at the end of 20 years as retiring allowances, they would not accept them. The hon. and gallant Gentleman in meeting that argument had repeated almost word for word the language that had fallen from the right hon. and gallant Gentleman the Surveyor General of the Ordnance (Sir Henry Storks) in his speech on the second reading of the Bill. On that occasion the right hon. and gallant Gentleman had said that the Government wanted to do away with purchase because the purchase difficulty always met them at every turn when they were attempting to re-organize the forces; but the question had been put to the Government over and over again — what were the difficulties they had so encountered? The difficulty with regard to the cornets might have been at once met by adding a small sum to the Estimates. He asked again for some reason to be given for the changes that were proposed to be made, which would involve such an enormous cost, and for the advantages that would accrue from that expenditure to be pointed out. Turning to the subject of the Amendment of the hon. Member for Birmingham, he must frankly say that he had had considerable hesitation as to the way in which he ought to give his vote with respect to it. In the first place, he entertained most serious objections to the whole of the Government plan. He thought their measure was unwise; that it would be dangerous to the welfare of the Army; and, above all, that it was the most extravagant plan that had ever been submitted to the House, because it called upon the country for an enormous expenditure for what he held to be an inadequate object. He knew the strength of the Government; whatever opposition was resorted to, it was probable that this measure would pass into law. Then, in the next place, he must ask himself whether he would prefer that it should pass in the shape in which the Government had brought it before the House, or in the shape in which it would stand if the Motion of the hon. Member for Birmingham were adopted; and he had no hesitation in saying that he should prefer the shape which that Motion would give to it. One of the grave objections to the measure of the Government was, that it would impose an immense burden on the taxpayers of this country, and he believed that objection would be removed by the adoption of the Motion of the hon. Member for Birmingham. Another of the objections to the measure of the Government was, that it would establish a system of selection, which he held on the highest authority to be most dangerous, and which, he believed, could never be carried out in a way that would be satisfactory to the House or to the country; that system also would be got rid of by the proposal of the hon. Member for Birmingham. For these reasons, and in the interests of the taxpayers of the country, he felt bound to support the Amendment proposed.

Mr. CARDWELL: I have observed for some time that the House is anxious to bring this discussion to a close. [" No, no!"] I know there are some hon. Gentlemen who are not anxious to bring it to a close; but I speak of the House generally, and I shall not think it necessary, after what has occurred in the course of the evening, long to stand between the House and the decision on this question, especially as the right hon. Gentleman who has just sat down (Sir John Pakington) has a great objection to the repetition of arguments which have been already used. The right hon. Gentleman spoke of the poverty of argument shown by my hon. and gallant Friend the Member for Truro (Captain Vivian). Well, that is a matter of taste and judgment; but I submit to the House whether my hon. and gallant Friend's speeches on this measure have not been such as to entitle him to the audience and attention of this Assembly? But if it be a proof of poverty of invention always to make the same answers, what proof is it of the wealth and power of invention always to be putting the same questions? If you were contented with the answer on the first occasion, and thought it the right answer, what wiser course could you take than to repeat it when the same question was put again? The right hon. Gentleman supports this Amendment on the ground of the effect of this Bill upon the taxpayers. Now, let us see what that effect would be. According to the proposal of the hon. Member for Birmingham (Mr. Muntz), including, as I understand it, half-pay as well as full-pay commissions, the regulation price to pay for effectives would be £7,102,000, and for non-effectives, £2,557,000, or £9,659,000 in all; while the Government plan would only cost £6,821,000 for effectives, and £393,000 for non-effectives, or £7,214,000; there being a difference of £2,445,000 in favour of the plan of the Government. [Colonel Anson: Does that include general officers?] All that is included on the one side is included on the other. How, then, are the interests of the taxpayers to be promoted by the adoption of this Amendment? It is urged that these interests would be promoted by raising the money by loan; but that is the most extraordinary argument ever used in the House of Commons in favour of the taxpayer. It may be right to raise the money by immediate taxation, or it may be right to raise it by loan; but that is a separate question to be considered on its merits, and it is a most improvident and unreasonable proposal to say that the adoption of a much larger outlay will relieve the taxpayer by adopting that outlay in the mode of a loan. The right hon. Gentleman has objected to what he calls the sentimental argument of the hon. and gallant Member for Truro as to every soldier carrying a marshal's bâton in his knapsack; but I maintain that that argument has much cogency and force. At present, if you give a commission to a man in the ranks, what prospect has he of rising with the slow rate of promotion of a non-purchasing officer? But by the abolition of purchase you give him a prospect of rising rapidly, for the vacancies are not taken up over his head by the purchasing officers. By his proposition the hon. Member for Birmingham seeks to establish in the Army, for the first time, the Indian bonus system, by which every man is compelled to contribute to a general purse, in order to furnish a bonus for retiring officers; but under the purchase system the non-purchase officer need not contribute in this way if he chooses to be purchased over, while, by the bonus system, every officer must contribute in turn, or, if he declines, his position in the regiment becomes intolerable. My hon. Friend's argument, therefore, was no sentimental argument or poetical phrase; it bore directly on the question. In direct opposition to that of the hon. Member for Birmingham, the Government, by their measure, propose the abolition of purchase, retaining to the purchasing officer those rights and that priority which he has purchased, and giving him a fair start from the point at which he has arrived. I have been charged with proposing to injure officers who desire to remain in the Army; but, instead of that being so, we think we shall greatly benefit them, for if they are purchase officers, having started from the point which by purchase they have obtained, they have the prospect of rising, and will not be called upon to pay another farthing. That is an immense benefit—that having purchased for the comparatively small sum which they pay in the lower grades of the Army they are to have that priority secured to them, and a fair start for those higher places of promotion which they would have obtained only by the investment of large sums of money. If they are non-purchase officers, they will start fair in the race without any fear of future supersession by purchase. My right hon. Friend further said that he had great hesitation in giving his vote for the Motion of the hon. Member for Birmingham; but that he should do so, because he preferred the shape which the Bill would then assume to its present shape. I am very much indebted to him for that admission. I believe that the abolition of purchase will be so great a benefit to the service, and so great a boon to the country, that even the large sum you are called upon to pay will be well invested in obtaining its extinction. My right hon. Friend thinks that purchase is a very excellent institution. [Sir JOHN PAKINGTON: No, no!] Yes, indeed. I have listened to all my right hon. Friend's arguments to-night, and I do not wish to misrepresent him; but I am sure if he does not think it an excellent institution, I shall be glad if he is a convert to the abolition of purchase. It has been argued throughout this debate, as if regulation prices had been a creation of some Government, and speaker after speaker on the other side talks as if Government received purchase money. Any purchase money that passes into the hands of Government is only *in transitu*, from the incoming officer to the retiring officer. What has been the beginning of the system? It began originally in unregulated purchase; but it was objected to by every Sovereign since the day of its commencement. In the time of William III. it was prohibited by statute, and an oath was imposed on the officer; and it was not till the time of George II. that regulation was introduced, and why? In the vain hope of regulating the evils that the unregulated system had inflicted on the Army. I have already stated to the House that when the declaration was obliged to be abandoned, because it was perpetually violated and broken, the language of the late Lord Hardinge and Lord Palmerston, to go to no earlier authority, spoke of the mischief to the service which unregulated prices involved. But to get rid of the regulation, and to inflict on the service unregulated prices, and to do so at increased cost, the hon. Member for Birmingham asks us to go into the Lobby; and not only that, but, for the first time on record, to give the system Parliamentary sanction. Again, it is said we do not do justice to the officers; and, in reference to the proposal of my hon. Friend on this point, I maintain that it is unjust to the taxpayer to take money from him for the purpose of regulating the injustice and inequalities of the purchase system. Your business is the abolition of the system. But what does my hon. Friend the Member for Birmingham do? In spite of the Report to which his name is annexed, which, if it means anything, means that over-regulation is to be recognized—[Mr. MUNTZ: No, no!]—No! Then I do not know what construction is to be put upon it, and my right hon. Friend the Member for Morpeth (Sir George Grey) and my hon. Friend the Member for Bedford (Mr. Whitbread) have put the same construction upon it—money will be taken away from the Guards and Cavalry, unless it be you are prepared to establish a pure system of seniority. I confidently appeal to hon. Gentlemen who hear me, whether in the evidence before us, especially the opinions and sentiments of the Commission of which the Duke of Somerset was Chairman, and which examined carefully and with much impartiality into the whole subject, there is any single point established if it is not that seniority would be fatal to the service. What said my right hon. Friend (Mr. Corry) to-night? He said that at the Admiralty he had had some experience of the principle of selection, and that seniority was death to the service. But you must either give this money to the Guards and Cavalry, or you must establish that seniority which my right hon. Friend says is death to the service, and which the Royal Commission has told you it would be fatal to adopt. We are told we cannot establish a system of selection. Why cannot we establish that which is established in every other country in the world? ["No, no!"] I know it is sometimes said that it is not established in Prussia. I do not wish to quote documents at this hour of the night; but I have before me a statement of the Prussian system, as it is stated in a Report laid on the Table by the Royal Commission on Military Education, and that shows there is selection in the Prussian Army. [Several hon. MEMBERS: No, no!] I will read a clause—

> "Promotion in the Prussian service is in all ranks promotion by seniority, tempered by selection. The officer who is two or three times passed over may consider that he has received an intimation to retire from the service, and in the highest ranks, if he does not act upon it, he would be probably gazetted out."

The Prussian system, in fact, was similar to that prevailing at the Admiralty; and what does my right hon. Friend say is the result of it? Why, he acknowledges that it has worked admirably; but that the exercise of the patronage is not always agreeable to himself personally. I say the proposal of Government terminates purchase, and it does so at as small an expense to the taxpayer as is consistent with justice and efficiency; it does justice to the officer, to the Guards and Cavalry, as well as the rest of the service, to the purchase officer and non-purchase officer. I say the Motion of my hon. Friend the Member for Birmingham in abolishing the system of purchase establishes another in its place; and it will do so at a greater cost, and would not be consistent with justice to the officer or with the efficiency of the service.

MAJOR GENERAL SIR PERCY HERBERT said, he had not the smallest intention of addressing the House but for some remarks which the right hon. Gentleman the Secretary of State for War had made. The other night he (Sir Percy Herbert) had pointed out how Government had accumulated £1,700,000, which had been extracted from the pockets of the officers of the Army for commissions which had been sold by the Government not for the purpose of holding it *in transitu* and giving it to other officers, but for the purpose of buying up annuities, which the House would not find in the shape of half-pay. He challenged the right hon. Gentleman at the head of the Government, who in the debate upon the second reading, when touching upon the matter under discussion, referred to them as minute sums, that he had no knowledge whatever of—— [Mr. GLADSTONE: In proportion.] In proportion? [Mr. GLADSTONE: In proportion.] He would read what the right hon. Gentleman had said—

> "Certainly, in exceptional cases that may be the case; but what do those exceptions constitute out of the total? It would be idle for me to detain the House with these minute exceptions—for minute they are, compared with the great totals involved. Speaking generally, Government are the stewards of the transaction as regards regulation prices, and the payer and receiver are the same in both cases."—[3 *Hansard*, ccv. 250.]

[*Cheers.*] Well, if hon. Gentlemen thought that £1,700,000 was a minute exception, he (Sir Percy Herbert) begged leave to differ from them; and he believed the right hon. Gentleman, when he used the expression, had no knowledge that such a sum had been extracted from the officers, as it had since 1854, for the bulk of the money had accrued since the Crimean War. As to the money having been held only *in transitu*, he (Sir Percy Herbert) had already adduced the instance in which the commission which he had obtained without purchase in India was sold for £4,500, which was received by the Secretary of State, but which ought to have gone to the officers who served in India during the Mutiny. For whom were the Government stewards in that case?—for the officer who did not receive the money, or for the officer who paid it? If there was to be rapid promotion, there must be rapid retirement, and yet the Government would not tell them anything on that head, whether it was to occur after 30, 25, or 22 years' service. What security, then, was there that officers applying for retirement would not have difficulties thrown in their way? One of the advantages expected by the Government was an increase in the number of scientific officers; but what was to prevent that increase under the present system? He believed that now, as compared with 15 years ago, there were 10 officers to 1 instructed so that they could discuss plans of campaigns and battles, and why should not instruction be carried further under the purchase system? In the remarks that had been made on the subject, he thought that scant justice had been done to the name of Lord Sandhurst, who, although he approved the abolition of purchase, would not father the scheme of the Goverment. He (Sir Percy Herbert) admitted that there were objections to the bonus system. But the system of purchase, though cheap to the country, was costly to the officers; and the one thing to be considered was the efficiency of the service —and how was that efficiency to be carried on without the flow of promotion? The hon. and gallant Member for Truro said that the officers were seeking for what they could make out of the Bill; now that accusation was especially unworthy coming from the hon. and gallant Gentleman, and he (Sir Percy Herbert) was prepared to make any sacrifice, if the interests and efficiency of the Army required such sacrifice; but he denied that the proposal of the Government would render the Army more efficient than it was, and it was mere clap-trap to talk of the people being taxed to make up the amount involved in this scheme. Again, he called on the Government to give them some statement as to what the retirement was to be—whether it was to be after a period of 20 or 25 years' service.

Sir HENRY STORKS wished to offer a few words in explanation. The right hon. and gallant Gentleman said that the money paid by officers for their commissions went into the pockets of the Government; but the facts of the case were these—When an officer wished to sell his commission, his application was sent to the War Office, who, after examining into his services, fixed the sum he was entitled to, and if he had not purchased, or had not served 20 years, he got a proportion of the amount, the rest going to the Reserve Fund. What had occurred in the case of the right hon. and gallant Gentleman was this—The right hon. and gallant Gentleman was an officer of the Staff, holding the substantive rank of major, and he had been promoted to the brevet rank of lieutenant colonel for distinguished services at the Cape of Good Hope; in consequence of the Regulation of 1854, his brevet rank was turned into substantive rank, and he became a lieutenant colonel on half-pay, according to the Warrant then in force. In 1858, he was appointed to the 82nd Regiment, then serving in India, in place of the lieutenant colonel, who was placed on half-pay, and who took up the 11*s.* a-day half-pay vacated by the right hon. and gallant Gentleman.

Major General Sir PERCY HERBERT said, it was not substantive rank. He stated before that it was a non-purchase vacancy, and his right hon. and gallant Friend had fallen into an error. He did not succeed an officer on half-pay, but one who retired from the service by the resignation of his commission, and who had resigned without half-pay, under circumstances to which he need not allude.

Sir HENRY STORKS said, he had no wish to refer to the circumstances under which that officer retired from the service; but he was permitted by the Secretary of State for War, under very special circumstances, he being an officer of very long service and being utterly destitute, to take up the half-pay vacated by the right hon. and gallant Gentleman, and he succeeded to the 11*s.* a-day.

Major General Sir PERCY HERBERT: After what interval?

Sir HENRY STORKS said, the right hon. and gallant Gentleman vacated 11*s.* a-day half-pay, to which this officer was appointed when his right hon. and gallant Friend was serving in India. After the right hon. and gallant Gentleman had served some time in India, he returned home, and was appointed deputy quartermaster general at head-quarters, and for that purpose he was placed on half-pay. As there were no officers on the list of his rank to come on full-pay, it was a creation of half-pay amounting to 11*s.* per day. His right hon. and gallant Friend said the Commander-in-Chief was desirous that the step should go without purchase in the regiment; but the Secretary of State would not permit it, and the right hon. Gentleman was held up, he supposed, to the Army as a man who prevented the free flow of promotion. It was no such thing; for the Secretary of State for War was bound to sell the commission, which he did, allowing the whole promotion to go in the regiment, and the money was paid to the Reserve Fund for the purpose of purchasing up half-pay commissions. [" No, no!"] It was contrary to the regulations to create £200 a-year half-pay without getting a set-off, and in some instances the money in the Reserve Fund was applied to benefit officers who could not purchase. There was a case the other day of an ensign of long service, who could not purchase his promotion, but which was purchased for him out of the Reserve Fund, and the captain came to the Secretary of State for War with a grievance that he had not allowed the senior for purchase to buy the lieutenantcy of his company, whereby he had lost £150. He could not see how the right hon. and gallant Gentleman could have any cause of complaint. The Secretary of State for War was bound by the Treasury regulations not to create an annuity of £200 per annum without some set-off, which he did by selling the promotion.

MAJOR GENERAL SIR PERCY HERBERT asked the indulgence of the Committee for a few minutes. He did not make any grievance the other night. [" Divide, divide!"] [SIR HENRY STORKS: No.] The other point on which he wished to explain was that the officer he succeeded was certainly not placed on half-pay until some time after he was appointed to the commission. That officer was given half-pay; but he believed his name did not appear in the half-pay list, but an annuity was allowed to him under special circumstances. That officer was removed from the service absolutely, and he was put in his place without purchase; and the result was, that when the Government wanted to give that officer an annuity because he was destitute, they made the officers of the 82nd Regiment pay £4,500 in order to recoup them for their charity.

SIR HENRY STORKS was sure the Committee would appreciate the motives that had induced the Government to give the officer in question his half-pay. The commissions in the 82nd Regiment were sold, not to provide half-pay for the lieutenant colonel, who was replaced by the right hon. and gallant Gentleman, but to provide half-pay for him (Sir Percy Herbert) when he was appointed to the office of Deputy Quartermaster General at the Horse Guards. Before I sit down I wish to refer to a statement made by the hon. and gallant Member for Bewdley (Colonel Anson) on the appointment of Lord Sandhurst to be second in command of the force destined for China in 1859, under Lieutenant General Sir Hope Grant, and which I consider calculated to convey an erroneous impression as regards the conduct of a brother officer. The facts are as follows:—Lord Sandhurst, in 1859, was junior to Sir Hope Grant, when that officer was appointed to the command in China. For reasons best known to themselves, Lords Canning and Clyde proposed to the Secretary of State for India, before informing Lord Sandhurst, that he should be substituted for Sir Hope Grant in that command. The reply from England was to the effect that Lord Sandhurst might go to China as second in command. Lord Sandhurst felt, with regard to the circumstances now stated, and to the influence and authority exercised by him, as chief of the Staff under Lord Clyde, as known to the whole Army in India, that it would not be for the advantage of the public service to associate officers in a manner which would make relations between them so very difficult, and he stated this opinion. Lord Sandhurst then proceeded to Bombay, and waited for final instructions from the home authorities as to his ultimate destination, which, having stated his views, it was for them to decide upon. These were the facts of the case, and they did not deserve the impression which the speech of the hon. and gallant Member for Bewdley was likely to convey.

MR. MUNTZ said, he made his statement of £1,500,000, in accordance with Mr. Hommersley's figures.

Question put, "That the words

"After the said appointed day there shall be repealed so much of the Act passed in the Session holden in the fifth and sixth years of the reign of King Edward the Sixth, chapter sixteen, intituled 'Against buying and selling of offices,' and of the Act passed in the forty-ninth year of the reign of King George the Third, chapter one hundred and twenty-six, intituled 'An Act for the further prevention of the sale and brokerage of offices,'' stand part of the Clause."

The Committee *divided*:—Ayes 260; Noes 195: Majority 65.

Committee report Progress; to sit again upon *Thursday*.

METROPOLITAN BOARD OF WORKS (LOANS) BILL.

On Motion of Mr. Baxter, Bill for amending the Acts regulating the borrowing of money by the Metropolitan Board of Works; and for other purposes relating thereto, *ordered* to be brought in by Mr. Baxter and Mr. Chancellor of the Exchequer.

Bill *presented*, and read the first time. [Bill 140.]

MURDER LAW AMENDMENT AND APPEAL BILL.

On Motion of Sir George Jenkinson, Bill to amend the Law relating to the crime of Murder and to provide a Court of Appeal from a sentence of death in certain cases, *ordered* to be brought in by Sir George Jenkinson, Mr. Gilpin, and Mr. Goldney.

Bill *presented*, and read the first time. [Bill 141.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, 16*th May*, 1871.

MINUTES.]—Public Bills—*First Reading*—East India Stocks (Dividends)* (116); Lunatics (Scotland)* (117); Postage* (118).

Second Reading — Citation Amendment (Scotland)* (76); Trust Funds (Investments)* (110).

Committee — Bank Holidays (70-120); Judgments (Ireland)* (59, 122).

Committee — Report — Sequestration* (54-121); Anatomy Act (1832) Amendment* (74).

Report—Trades Unions* (114); Criminal Law Amendment (Violence, Threats, &c.)* (115).

BANK HOLIDAYS BILL—(Nos. 70, 120.)

(*The Marquess of Salisbury.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That it be an Instruction to the Committee that they have power to make provision for extending the Bill to payments and acts other than the payments of bills of exchange and promissory notes."—(*The Marquess of Salisbury.*)

Lord OVERSTONE said, he cordially approved the object and what he understood to be the principle of the Bill. In this country there were at present 54 days in the year, Sundays, Christmas Day, and Good Friday, on which ordinary legal obligations with regard to business were suspended. These were obviously religious holidays in their character and purpose; while the Bill would supplement these by four others, which might be deemed purely secular — namely, the 26th of December, in case Christmas Day fell on a Sunday, Easter Monday, Whit Monday, and the first Monday in August. This step was in harmony with the social tendencies of the times, and the days had been judiciously selected, for three of them immediately followed religious holidays. He also approved the wider scope which the noble Marquess proposed to give to the Bill; but he would suggest the omission throughout the measure of the word "bank," as one which had no legally defined meaning, was very ambiguous, and was likely to lead to confusion. Moreover, he saw no reason why these opportunities of relaxation should be confined to persons employed in banks. What was to be desired was that all persons in this hard-working country should have such opportunities. The word "general" might be substituted for "bank."

The Marquess of SALISBURY said, he entirely concurred with the views of the noble Lord (Lord Overstone) in the propriety of extending the scope of the Bill:—no good purpose would be served by confining its action to banks — but still he could not go so far with the noble Lord as to say that it was necessary to construct anew the language of the Bill. The Bill, after all, was in the main a Bank Holiday Bill, and there was no reason why that title should not be used. It would be a Bank Holiday Bill, for this reason, that banks were subject to those compulsory duties which required legislation to relax. He believed it would be a very great improvement in the Bill to extend its provisions from banks to other institutions; but he trusted the noble Lord would not persevere in his intention to go through the Bill and change all its terminology—to do so would create a good deal of delay —more especially as his object would be met, even although at the cost of symmetry, by the Amendment which he (the Marquess of Salisbury) proposed to move.

Lord REDESDALE thought six holidays in the year would not be too much to give to persons who were closely confined to business, and they should be equally distributed over the year. The present Bill gave only four, and there was a large portion of the year during which no holiday intervened at all. If there was a holiday on the first Monday in February, and another on the first Monday in November, this would give a holiday in every two months. He did not know whether this would be acceptable to the promoters of the Bill; if not, the Amendment could be struck out when the Bill went back to the House of Commons.

Lord CAIRNS said, he doubted whether the Instruction was necessary, as without it the Committee would have ample power to alter the title or scope of the Bill, and it might set an inconvenient precedent.

Lord Chelmsford and Viscount Eversley agreed that the Instruction was unnecessary.

Motion (by leave of the House) *withdrawn.*

House in Committee.

Clause 1 (Bills due on bank holidays to be payable on the following day).

Lord COLONSAY said, he had to propose an Amendment extending the operation of the Bill to Scotland.

Amendment *moved,* after ("banks") insert ("in England and Ireland and in Scotland respectively.")—(*The Lord Colonsay.*)

Amendment *agreed to.*

The Duke of RICHMOND said, he thought that bills falling due on these holidays should be payable on the day preceding, or, if that day were a Sunday, on the Saturday previous. This was the law with regard to existing holidays, and he thought it would be equally consistent with uniformity and convenience to apply the same law to the new holidays. There would otherwise be this anomaly — Good Friday bills would be payable on the preceding Thursday, and Easter Sunday bills on the Saturday, while the Easter Monday bills would not be payable till Tuesday.

The Marquess of Salisbury

Amendment *moved,* line 14, leave out ("next following") and insert ("preceding.")—(*The Duke of Richmond.*)

The Marquess of SALISBURY said, that those who would be principally affected by the Bill were opposed to the Amendment. A circular had been sent round to the London banks connected with the clearing house; and from the Returns it appeared that none of them were in favour of the Amendment; in five the partners were divided, and the remainder — more than a dozen—were against it. The Liverpool Chamber of Commerce also opposed it, as a hardship to small traders.

Lord OVERSTONE thought the opinion of the House of Commons, which contained so many persons affected by the clause, and which had passed the clause in its present shape without objection, was entitled to great weight; and there was a clear and distinct statement of the bankers of London that they were in favour of the Bill as it stood. Their Lordships should, therefore, pause before they made the alteration suggested. The Amendment, moreover, would create an injustice, for persons abroad holding bills on London and knowing nothing of these holidays might present their bills too late, and lose their remedy. The true principle seemed to be that if the law interposed an obstacle to the performance of an engagement on a given day, it ought to be performed on the first subsequent opportunity—namely, on the following day. The holidays created by the Bill would all fall on the Monday, and great inconvenience would result if bills payable on Monday were made payable two days before. Saturday would be overloaded with the business of the following Sunday and Monday; whereas it was desirable that *employés* should be released as early on Saturday as possible, in order that they might join their families and friends in the country.

Viscount HALIFAX, though he had at first approved the Amendment, admitted the force of the reasons just given by the noble Lord, and he therefore hoped the Amendment would not be persevered with. Indeed, he thought it would be desirable to make bills falling due on existing holidays become payable on the following day, and to abolish days of grace, which were a very anomalous provision.

Lord CAIRNS recommended the withdrawal of the Amendment, believing that, after the discussion raised by his noble Friend (the Duke of Richmond), an effort would hereafter be made to attain uniformity in another manner. Irrespective of the reasons adduced by the noble Lord (Lord Overstone) against the Amendment, it should be considered that one of the provisions of the Bill was that a holiday might be proclaimed by the Crown; in which case persons abroad could not be expected to be aware of it, and to send in their bills for collection by the previous day. There really was no argument for the law that bills should be payable the day before they were due. He concurred in the propriety of abolishing days of grace.

The Duke of RICHMOND said, he was satisfied with having called attention to the anomaly, and would withdraw his Amendment.

Amendment (by leave of the Committee) *withdrawn.*

Clause *agreed to.*

Clause 2 (Provision as to notice of dishonour and presentation for honour) *agreed to.*

The Marquess of SALISBURY said, he would now move the clause which he had in view in proposing an Instruction to the Committee. It provided that—

> "No person shall be compellable to make any payment or to do any act upon such bank holidays which he would not be compellable to do or make on Christmas Day or Good Friday, and that such obligation shall be transferred to the following day."

Clause *agreed to.*

Clause 3 (Appointment of special bank holidays by Royal proclamation).

Lord COLONSAY moved in page 2, line 5, to leave out ("England and Ireland"). In the proper place he would move that the Schedule extend to England and Ireland only, with the view of having a separate Schedule for Scotland.

The Marquess of SALISBURY said, that in the interests of uniformity it was desirable that Scotland should have the same mercantile holidays as England. Great inconvenience might arise from having different holidays in different parts of the United Kingdom. He hoped the Scotch, reserving all ecclesiastical questions, would be willing to observe the English Whit-Monday.

Lord COLONSAY said, he could not yield to this appeal. The 15th of May, the Scotch Whitsuntide term, commonly called Whitsun-day, was the most important business day in the year as to money transactions—and it could not be made a variable day, dependent, he believed, on lunar influences, without changing the entire habit of the country.

Earl GREY asked, whether a large proportion of the population of Scotland did not already observe the English Whit-Monday as a holiday?

The Duke of ARGYLL replied that none observed it unless they had been contaminated by the English custom. In his youth he had never heard of Whit-Monday as a holiday. Whit-Sunday in Scotland always fell on the 15th of May, no matter on what day of the week, and was a most important day, rents being paid, and a large number of the working classes removed from one residence to another.

Earl NELSON said, he did not see why the Scotch should object to alter the day, as they at present doubtless did so when the 15th of May fell on a Sunday.

Amendment *agreed to.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Schedule.

Earl BEAUCHAMP moved, after Monday, to insert Ascension Day in the list of holidays, on the ground that this would be advantageous to some as an additional secular holiday, while it would enable others to observe it as a religious festival.

Viscount HALIFAX objected to the Amendment. It was opposed to the principle on which their Lordships had previously acted with reference to this Bill. The great advantage of having holidays on two consecutive days had been pointed out; but with this Amendment there would be three holidays all in one month, and thus the advantage of a more equal distribution would be lost.

Earl BEAUCHAMP said, that at any rate holidays in May were likely to be suitable for out-door enjoyment.

The Marquess of SALISBURY doubted whether any good would be done by the proposed Amendment; but he should be sorry to vote against it, because, for reasons other than those which had been adduced, he wished the day to be observed as a holiday. But he thought the proposal was not likely to be viewed with favour by many in their Lordships' House; and he was sure it would be viewed with disfavour in the other House, because it departed from the principle of the Bill, which was to legalize those holidays which were observed by general usage as purely secular holidays. He thought that this Motion was inopportune, and that it would not attain the object in view.

The Bishop of WINCHESTER said, he hoped the Amendment would not be pressed to a division. He knew the object of the noble Earl was to give greater facilities to those who desired to observe the day; but it was not desirable that the mass of the population should confound together a State holiday and an ecclesiastical day. The present mode of observing Good Friday was not of a character to encourage the inclusion of Ascension Day in this Bill. He would, therefore, urge his noble Friend, on his own grounds, not to press his Motion to a division.

Motion (by leave of the Committee) *withdrawn.*

Page 3, line 1, after ("Schedule") insert: ("Bank holidays in England and Ireland.")

Line 2, leave out from ("Monday") to the end of the Schedule, and insert:

("The Monday in Whitsun week.
"The first Monday in August.
"The twenty-sixth day of December.")

On Motion of the Marquess of Salisbury, an Amendment made that the 26th day of December should be always a holiday, whether it fell on Monday or on any other weekday.

Lord COLONSAY observed, that New Year's Day and Christmas Day had been observed from time immemorial, and he proposed to introduce Good Friday, which was already observed to a great extent as a bank holiday. He moved—

At end of Schedule insert:
("2. Bank Holidays in Scotland.)
New Year's Day.
Christmas Day.
If either of the above days falls on a Sunday the next following Monday shall be a bank holiday.
Good Friday.
The first Monday of May.
The first Monday of August.")

Amendment *agreed to.*

The Marquess of SALISBURY expressed a hope that, if possible, the passage of the Bill would be expedited, so that it might come into operation before the approaching Whitsuntide.

The Marquess of Salisbury

The Report of the Amendments to be received on *Friday* next; and Standing Orders Nos. 37. and 38. to be considered in order to their being dispensed with; and Bill to be *printed,* as amended. (No. 120.)

CITATION AMENDMENT (SCOTLAND) BILL—(No. 76.)—SECOND READING.

(The Earl of Airlie.)

Order of the Day for the Second Reading read.

The Earl of AIRLIE, in moving that the Bill be now read the second time, said, he regretted that the Bill had not been entrusted to some of the noble and learned Lords who were better acquainted with the subject than he was, and better able to deal with the peculiarities of the custom with which the measure was intended to deal. To the people of Scotland what the Bill dealt with was a matter of much interest and importance. As their Lordships were probably aware, the Bill had already passed through the other House, and had met with the approval of many eminent Members on both sides of that House. The object of the Bill was to amend the process of citation in Scotland, and to make the system somewhat similar to that existing in England. By an Act of the Scottish Parliament, passed in the reign of James V., the affixing of copies of letters or precepts to the gate or door of a house, after the officer had given six knocks, and failed to get an entrance thereto, was made a lawful and sufficient citation. As their Lordships might imagine, such a system gave rise to many evils. This was known in Scotland as the "Lockhole" citation. He believed Scotland was the only country in which such a practice prevailed. The whole thing was left to the discretion of the officer serving the citation, no matter what manner of person he might be. The consequence was that those officials took very little trouble in serving the citation personally, and the person served often knew nothing of the matter until he found himself arrested. In England this was not the case. The server of such documents in England was obliged to do his best to serve personally, and evidence was necessary that the service had taken place. In Scotland the citation was thrown into the keyhole, and no trouble was taken as to whether the person required continued to live on the premises or not. In fact, he had heard of a case in which it was no secret that there had been no citation served at all; the official, knowing that it was quite sufficient for him to say that such a service had taken place, did not give himself the trouble to go through the formality, yet when the requisite number of days had passed, the person who should have been served was arrested, and had to bear the consequences. A Commission had sat upon the subject, and had strongly recommended an alteration in the law. Mr. Justice Willes and other eminent authorities also recommended an alteration in the law. In the Bill, most of the recommendations of the Commission and the Committeemen who had given their opinion on the subject were turned to account. The Bill proposed to do away with the lockhole system altogether. There would be no more affixing of citations to the gate or door of a man's house, or, in the case of the defender having removed from his house, leaving a citation in the hands of an inmate. In certain cases, a registered letter by post was substituted for the lockhole system. The case of a person refusing access or concealing himself culpably, was fully provided for in the Bill. Where the citation about to be served was on a Small Debt Court summons of removal from any house or premises, if the defender could not be found, and his place of dwelling for the time was not known, or admission to it could not be obtained, a copy of the summons must be affixed to some particular part of the premises from which removal was sought, and intimation of such affixing must be sent in a registered letter, by post, to the last known address of the defender. These were the principal provisions of the Bill. The question involved was very simple. Possibly the noble and learned Lord opposite (Lord Colonsay) might not consider that the Bill was altogether perfect, and would like to make some alterations in it. He would have full opportunity of doing so; but he (the Earl of Airlie) trusted that the object of the Bill was sufficiently just to meet with general approval.

Moved, "That the Bill be now read 2^a."—(*The Earl of Airlie.*)

LORD COLONSAY said, he fully approved of the object of the Bill. His chief objection to it was that it was not sufficiently comprehensive. It carried out to a certain extent the recommendations of the Commission, and so far he approved of it. He thought that the affixing of a copy ought not to be altogether dispensed with, for it might be the means of giving information to a defender where a post letter could not do so. He also thought that the clause as to actions of removing was out of place in a Bill expressly confined to Small Debt Courts. He should not, however, further deal with these matters at this stage. He should content himself with saying that, on the whole, he was glad that a Bill had been framed on the subject.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 8*th of June* next.

NAVY—SUPPLY OF COAL.—QUESTION.

THE EARL OF LAUDERDALE, in rising to put a Question to the Government as to the supply of North Country coal to the Navy, said, that coal was a subject not often referred to in their Lordships' House. A few nights ago the question of gunpowder was discussed, and coal was quite as important to Her Majesty's Navy as gunpowder. When gunpowder was discussed, the noble Lord who represented the War Office in that House (Lord Northbrook) produced specimens of the article; but he (the Earl of Lauderdale) had not brought with him any specimens of coal, but, as a substitute, he would endeavour to explain the different descriptions of coal. Two sorts were used for steam purposes, but chemists, geologists, and engineers had decided many years since that the best for that purpose was Welsh coal, because it produced more steam for a given weight than almost any other coal, and an important recommendation was that, not being bituminous, it made little smoke. Latterly, "North Country coal" had been introduced into use for the Navy; but, in his opinion, it was not adapted for that purpose. First of all, it made considerable smoke, and on that account was highly unsuitable for Her Majesty's ships in time of war. A vessel using coal that made smoke became visible at daybreak to the enemy, who, if he wished to escape, would immediately be off, and even with greater steam power by two miles an hour it might take a whole day to catch him, and he would have an excellent chance of getting away altogether. It was almost as bad at night. The North Country coal not only made a great deal of smoke, but accumulated soot, which frequently caught fire, and in that case a vessel's funnel might be mistaken for a lighthouse; and on one occasion, a ship's funnel illuminated in this way had actually been mistaken for a volcano on the top of the Andes, 200 miles off. It was of the utmost consequence to have the best description of coal supplied to the Navy, because the best coal could be stowed away in the smallest compass. From the specific gravity of Welsh coal, 100 tons could be stowed where only 80 tons of North Country coal could be stowed, or a difference of one day's coal in five. Coal was becoming more important in the Navy than powder. Actions were fought before gunpowder was used, and the ancient mode of fighting by ramming was again to be used; and even now actions were generally settled by bayonet, cutlass, or the butt-end of the musket. That, however, was not the finale; for generally at the end of a battle, arms were thrown away and legs were resorted to. One party had to run and the other to follow; and as ships in the Navy were now built without masts, a vessel could neither escape nor chase without plenty of good coal. The Navy was now supplied with a mixed coal, known to sailors as "Baxter's Mixture." It was composed of Welsh and North Country coal. He had a high opinion of the best kind of "Baxter's Canvas;" but a very indifferent one of his Mixture. Another objection was that in order to use it the furnaces had to undergo alteration. It could only be used by altering the furnaces so as to admit more air, occasionally a loss of 30 per cent took place by using mixed coal and shortening the furnaces. The only objection to the Welsh coal was that it was somewhat friable and occasioned dust; but the dust could be burnt in the furnaces. It was of the utmost consequence that the Navy should be supplied with the best possible coal as well as with the best possible gunpowder; but he could not help saying that, in his belief, it had neither the one nor the other. Not long ago the Admiral commanding Her Majesty's fleet in the Mediterranean made a very important signal; but as Baxter's Mixture was being burnt on board, the signal could not be understood. The Admiral reported the circumstance to the Admiralty, in the belief that it was his duty to do so; but from some unknown cause no notice appeared to be taken of his intimation, as he never received any reply or acknowledgment whatever from head-quarters. Under these circumstances, he wished to know, Whether it is the intention of the Admiralty to continue to supply North Country Coals to Her Majesty's ships for steam purposes?

The Earl of CAMPERDOWN admitted it was of great importance that the coal used in the Navy should be of the first quality for steam purposes, its stowage as small as possible, its steam power as great, and that it should emit very little smoke; and he was extremely sorry to hear that the noble Earl entertained so low an opinion of what he was pleased to call "Baxter's Mixture." The noble Earl opposite had alluded to the opinions held by several naval officers in support of the view he had taken on this subject; and he (the Earl of Camperdown) went so far with him when he said that, at first, a greater number of the reports to the Admiralty had been unfavourable to the existing sysem. But a variety of experiments had been made; they were continued during the whole of last year, and the results had been increasing in favour of the mixture of Welsh with North Country coal. During last year it was found that by altering the shape of the furnace, an increase of steam power might be produced, and it was expected that smoke would no longer be the occasion of complaint. Certain experiments had been carried out on board the *Lucifer* and another of Her Majesty's ships, and it was possible they might be continued in those vessels. He believed he was also in a position to state that the head of the Steam Reserve, Captain Rice, who was opposed to the mixture before those trials took place, had, since the change in the furnaces, changed his opinion in its favour, as compared with the results obtained from any coal in the old furnaces. It was the intention of the Admiralty to supply that mixed coal to Her Majesty's ships. Experiments were being continued both in the Mediterranean and Channel Fleets, the *Iron Duke* and the *Vanguard* being specially selected for the purpose, and until the experiments were reported on it was intended to continue the use of the mixture.

THE EARL OF LAUDERDALE, in reply, said, that when a marine engine was bought into the service, and was tried, the manufacturer always required that it should be tried with the best Welsh coal, and the great steam packet companies would not use the North Country coal.

House adjourned at Seven o'clock,
to Friday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 16*th May*, 1871.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Protection of Life and Property in certain Parts of Ireland [129], *debate adjourned.*
Report—Pier and Harbour Orders Confirmation * [101-146].

The House met at Two of the Clock.

BETTING HOUSES IN SCOTLAND.

QUESTION.

MR. T. HUGHES asked the Secretary of State for the Home Department, When the promised Bill to extend the Betting House Suppression Act to Scotland will be introduced?

MR. BRUCE replied that the Bill was now ready, and would be at once introduced into the other House of Parliament.

CONVICTION AT ALDERSHOT.

QUESTION.

MR. STRAIGHT asked the Secretary of State for the Home Department, Whether his attention has been called to a charge of wilful damage, to the amount of 2*s*., heard before the magistrates at the Aldershot Petty Sessions on Thursday last, against six children, named and aged respectively as follows: John George, 8; Matthew Wiltshire, 7; James Burgess, 8; Arthur Wells, 9; Jane Luff, 9; and Mary Anne Warner, 9, upon which they were all convicted, and severally sent to prison for a period of two months; and, whether, having regard to the ages of the defendants, the circumstances of the case, and the severity of the sentence, he will take immediate action in the matter?

MR. BRUCE said, he had that morning received a memorial from a person interested in the case, and had referred the memorial to the magistrates for their observations upon it. Until he had received their answer it was manifestly impossible for him to answer the Question, and the hon. Gentleman would, perhaps, oblige him by repeating it on a future occasion.

MR. H. A. HERBERT asked, whether the right hon. Gentleman would inquire whether the parents of the children had not encouraged them to commit this destruction of property, and to pull down the butts for the purpose of obtaining the lead for sale as old metal?

MR. BRUCE replied that the magistrates would no doubt state everything connected with the case that would in any way tend to justify the sentence they had passed.

NAVY—OFFICERS IN THE NAVY AND THE INCOME TAX.—QUESTION.

MR. G. BENTINCK asked the First Lord of the Admiralty, Whether Income Tax is charged to officers in the Navy upon the reimbursement of travelling expenses, and other monies expended by them when on service, and afterwards repaid to them; and, if so, since when such has been the practice, and by what authority such deduction is made?

MR. GOSCHEN: The case, Sir, is as follows:—I am informed that there has not been any instance where the amount disbursed by any officer for railway or cab fares and hotel bills has been taxed. But when an officer, instead of showing hotel bills, or stating in detail the amount of actual expenses incurred, has claimed the maximum rate allowed by the regulations to cover the cost of subsistence while travelling, that allowance has been taxed. This was done in consequence of the view expressed last year by the Inspector of Taxes, that all money allowances in addition to pay were, as a rule, liable to the income tax assessment. In consequence of this opinion a letter has been addressed to the Inland Revenue Department asking for an authoritative decision on the question, and the Admiralty are still awaiting a reply.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL (*Lords*)—[BILL 129.]

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May], "That the Bill be now read a second time;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to continue 'The Peace Preservation (Ireland) Act, 1870,' beyond the date settled by that statute,"—(*The O'Conor Don,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. O'CONOR said, he was unwilling to give a silent vote on the second reading of this Bill, having last Session opposed the Peace Preservation Act. He had listened to the debate very carefully, but he had failed to discover anything approaching an answer to the arguments employed the other day by his hon. Friend the Member for Roscommon (The O'Conor Don). The hon. Gentleman the Member for Londonderry County (Sir Frederick Heygate) concluded his remarks on Friday last by stating that Lord Palmerston's policy with regard to Ireland was a wise one, and that during his government Ireland was calm and contented. The right hon. and learned Gentleman the Member for the University of Dublin (Dr. Ball) also stated a short time since, in reference to Lord Palmerston's Irish policy, that if the Government left Irish affairs in the same condition as Lord Palmerston they might well be proud. But what was the condition of Ireland at the time of his death? He admitted there was an apparent calm; but it was the calm that precedes the storm. Many an Irish Member of that House had to repudiate his policy, and if he had not he would have lost his seat. The present Lord Chancellor of Ireland (Lord O'Hagan) was for years kept out of the House, because he happened to be the servant of the Government of Lord Palmerston; and on the death of the noble Lord the Fenian conspiracy, which had been fermenting during his term of office, broke out, and proved beyond dispute that Ireland was not contented under his administration. He opposed the clause of the Bill that re-enacted the Peace Preservation Act of last Session upon the grounds that he opposed the Bill of last Session—namely, that they brought in a Bill nominally as a milder measure than the suspension of the Habeas Corpus Act, but which was in reality as severe a measure, and contravened quite as much as the Habeas Corpus Act, if not much more, all the principles of the British Constitution, and that consequently it was likely to do more mischief to the loyal and well-disposed. The Habeas Corpus Act was a means towards an end—that of giving liberty and protection to the subject; but the Peace Preservation Act not only contravened all those rights and liberties, but all those which were protected by other Acts of Parliament. An hon. Member had been ridiculed for complaining that the Peace Preservation Act interfered with sportsmen. That it clashed with the pleasures of the rich would be a matter of indifference; but if the police ventured to interfere with the proceedings of the wealthy, how much more likely would they be to oppress the poor under cover of this Act! The late Chief Secretary for Ireland (Mr. C. Fortescue) had recommended the Act of last Session on the ground that it would induce the people to assist the police; but that was a thing Irishmen could never be got to do. They declined to become amateur detectives, and could not be made to give information to the police. That the Peace Preservation Act was inefficient in this and other respects, and was in fact a complete failure, was demonstrated by the introduction of this Bill. The Peace Preservation Act was brought in to meet the case of Meath, Westmeath, and Mayo. Inquiry had proved its failure in Meath and Westmeath, and inquiry as regards Mayo would prove its failure there also. The Act had really done more harm than good, and should be allowed to lapse. The hon. Member for Londonderry County (Sir Frederick Heygate) had expressed the opinion that as Government asked for the powers they should be granted; but surely Government should be required to prove the necessity for such extreme measures. The noble Lord the Chief Secretary had read certain extracts from American newspapers to show that it was desirable to continue the Act of last Session in force; but he confessed it did not seem to him that those extracts—although very "rubbishy"—were of such a desperate character as to require a special Act of Parliament to put them down. Indeed, they appeared to be rather tame in comparison with some articles occasionally to be found in newspapers which were not suppressed or brought under the provisions of that Act. The noble Lord had mentioned the county of Sligo as being partially proclaimed under the Act of last Session; but the state of that county was most satisfactory, and Judges had congratulated it upon its freedom from crime, and the Chairman of Quarter Sessions had observed that the county had improved so much that further improvement was impossible. If this were the case, what object could the Government have in placing Sligo under the special provisions of the Bill? Should they determine to apply those provisions there, they ought also to enforce them in the counties of England—certainly they ought to do so with regard to Manchester, Glasgow, and other parts of the United Kingdom, which were known to be centres of some of these very secret societies. Assuming, however, that they were to have another Coercion Bill for Ireland, he admitted that Bill was the best which could be devised, because it had at least one merit—namely, that it must be of a temporary character, because they could not go on always governing the country by suspending the Constitution. The great difficulty of governing Ireland had been the suspicion in the minds of its people that England was always concocting coercive measures to keep them down, and looking upon them as if they were not civilized beings. The remedial legislation of the last two Sessions was tending to remove that mischievous impression; but the Bill now before the House would unfortunately retard the beneficial effects of that remedial legislation. He appealed to the Government, whether it was absolutely essential for them to pass those two Coercive Bills rolled into one; and, whether at least it would not be a graceful act on their part to withdraw that portion of the Bill against which he had strongly protested? If, however, the Government persisted in forcing that obnoxious measure on the people of Ireland, he was afraid that when their epitaph came to be written, the historian would say that, having been returned mainly to do justice to Ireland and to reduce the public expenditure, they had astonished their Radical friends below the gangway by bringing forward Estimates as extravagant as any ever proposed by their opponents, and had astonished their friends in Ireland by carrying Coercion Bills which they themselves described as the most stringent that had ever been passed.

MR. GATHORNE HARDY said, he desired, as a Member of the Committee, to say a few words on this subject. The House was placed in rather an unfortunate position by having an Amendment proposed which did not really raise the issue that ought fairly to be put before them. The course taken by the hon. Member for Roscommon (The O'Conor Don), and by the hon. Gentleman the Member for Sligo (Mr. O'Conor) did not seem to him calculated to enable them to have such a discussion as would do justice to those who brought in that Bill and also to the people of Ireland. If England were in a state similar to that in which Westmeath was declared by competent authorities to be, he should have no hesitation whatever in assenting to a measure extending to it the provisions of the Peace Preservation Bill. [An hon. MEMBER asked, why such a measure had not been applied in the case of Sheffield?] A special law had been passed in reference to Sheffield; but if the same course had been taken with regard to Ireland that had been taken with regard to Sheffield the result would have been utterly futile, inasmuch as evidence could be obtained in Sheffield, whereas none could be obtained in Ireland. With respect to the Peace Preservation Act, he was prepared to admit that its renewal stood on a footing totally different from that of the other measures. The renewal of that Act rested not upon the evidence taken before the Committee, but upon the responsibility of the Government, who declared it was necessary, in order to continue the benefits which the measure had already produced. Although he was not one of those who professed a general confidence in the Government, he had every confidence that the Irish Executive, as an Executive, would not put the Act into further operation unless special circumstances rendered such a course necessary. There must be at the moment some reasons connected with Sligo which justified the Government in proclaiming that county. The hon. Member opposite (Mr. O'Conor) had the opportunity of giving evidence before the Committee, showing that the Peace Preservation Act was a disadvantage in the county he represented, but no such evidence had been given. On the contrary, it was stated before the Committee that, excepting Westmeath, part of Meath, and King's County, the Act had operated beneficially throughout Ireland; but that when it came into collision with secret combinations and conspiracy it was found practically inoperative. Public and private information showed that there were parts of Ireland where Peace Preservation Acts, or measures analogous to them, were absolutely required. In the county of Mayo special legislation was certainly needed to cope with secret combinations that no ordinary process of law could successfully repress. He had heard with astonishment the hon. Member for the county of Cork (Mr. Downing) last Friday declare that the whole of Ireland was in a state of peace and prosperity, in the face of the declaration of Dr. Nulty, the Roman Catholic Bishop of Meath, that the district of Westmeath was in a condition which it would be absurd to designate as being one of peace and prosperity. Things were occurring in that district which, although they might not be openly manifest, had spread terror through all classes of society, and made every man tremble for his life. For the hon. Member for Cork to describe such a state of things as one of peace and prosperity was an extravagance hardly worthy of the representative of that large county. The question was, did this secret confederacy exist in the country? When called before the Committee, Dr. Nulty said no such confederacy existed, that these terms did not apply to Ribbonism at all; and when asked respecting ancient Ribbonism, he replied that, although it was much the same as modern Ribbonism as to crime, there were better causes for it formerly than existed for it at the present day. No witness had put forward any special ground for this species of crime, probably because they must be aware that the recent outrages committed in Westmeath and the neighbourhood had nothing of the palliation which was formerly attached to such crimes. What were the facts on this point? He learned from recent letters, of a case where a man who was about to enclose his field, in order to prevent his neighbour's cattle from trespassing on it, was threatened with death; another man was subjected to a like threat, just as he was going to take a vacant farm. A magistrate stated that Ribbonism, though in the minority, governed the majority, and so held the country in terror. Ribbonmen governed Ireland with Draconian laws, for every offence against their Government was punished with death. Westmeath was now reduced to such a state of cowed submission by these ruffians, who violated all the ordinary rules of society, that practically the Government of the Executive was abrogated. The hon. Member for the county of Cork admitted that the law now proposed would injure no well-conducted man. In that respect he entirely agreed with the hon. Member. If, then, the Bill would injure no well-conducted man, and would lay hands upon or put aside the ill-conducted, why should those who declared that they were the friends of the people of Ireland put any impediment in the way when the Government had arrived at the conclusion that, without enforcing such a measure as this, they could not possibly secure order or safety for life and property in the district in question? Formerly this evil was confined to landlords and tenants; now, however, it included agricultural labourers and other workmen. In order to show how widespread it was he would mention a case that occurred at Mullingar, a town of 4,000 inhabitants, where food and lodging could not be found for the witnesses who were to prove the murder of Mr. Anketell. Surely these were cases which loudly called for the intervention of the Government. The hon. Member for the county of Cork had spoken on behalf of Mr. Seed's special commission; but what was the use of a special commission when, in consequence of the terror exercised upon witnesses, a case of outrage could not be proved? This was the question Mr. Seed himself put—"Get your case," he said, "then have a speedy and special commission, and act upon it." Here was the very difficulty. The evidence could not be got to convict. What was wanted in Westmeath was the firm resisting power of the majority of the people, who should be ready to combine in the defence of their lives and of the lives of others. The hon. Member for Cork told the House on Friday that although this

Committee had been sitting, nothing practically new had been done. But when a Government had arrived at a point in which it could not protect the people under the ordinary law, the time came when, on its own responsibility at once and immediately, it should come to the House and obtain the necessary extraordinary powers to afford the protection. When he said before, and was blamed for saying, that murder was stalking abroad, he said what was morally true. He meant that men were confined to their houses for fear that if they came out they would be murdered. A man, driven to his wits' end with regard to the employment of his farm, proposed to take in cattle by agistment; but an armed band came and drove away the cattle that did not come from the immediate neighbourhood, so that it was clear that unless he gave up his farm into their hands they would not allow him to use it at all. With respect to the Peace Preservation Act, he was not going to argue a point which had been raised; but much had been said against charging the disturbed district with police and levying taxes on it for injuries done; and he would only remark that this was not a novelty, for in England, where it was supposed that a whole neighbourhood might be implicated in a disorder, the damages which had been done might be recovered from the hundred. When the Irish would not give information regarding the commission of atrocious crimes, when they thus threw themselves into the hands of the cowardly assassins, then the neighbourhood in which this occurred was justly mulcted by the expenses being thrown on the locality. Those who were arguing for this Bill were arguing as the friends of Ireland. Why did he say so? One gentleman told the House that whereas he formerly spent £40 a-week in labour, in consequence of the threats issued against those whom he employed, his expenditure in labour had been reduced to £3 a-week. Was that no injury to the labouring classes of Ireland? Let those who came to the House to say that the supporters of this Bill were acting as enemies of Ireland recollect how the system of terror which was carried on impeded the circulation of capital in Ireland, and prevented the employment of labour. He hoped that if they removed the heads of the assassination out of the way the people might be led into a better state of mind. People could not live in this state for ever. They might take the law into their own hands; but, if so, they would be driven into a far worse state than they were now. The moment when Government could not discharge its first duty of protecting life and property, then he said that, whether in a Republic or a Monarchy, the State required power, and was obliged to resort to extraordinary means to obtain it. A most rev. Prelate (Dr. Nulty) was called before the Committee; and his rhetoric was a little stronger than his Christianity. He said that if he had stated that in former times Ribbonism was an organization for committing murder he would not have been listened to; but he had already told the Committee that the system of Ribbonism in former times was to carry out its purposes by terror, and by putting people to death who opposed their laws. He did not say for a moment that he really meant to extenuate crime of that description; but it was dangerous for such a man, in addressing people, to speak favourably of Ribbonism in former times, because the people would naturally say that they were carrying out the old Ribbonism, and therefore that they had his authority for what they were doing. The hon. Member for Cork took a like course, and with the same dangerous results. He (Mr. Hardy) could not doubt that this Bill would become law, and he trusted that when it had the Government would not consider their duty as at an end, but would proceed with all diligence to sift, if possible, this conspiracy to the bottom. He also trusted that they would endeavour to provide for the end of the term over which the Act was to extend —to try if they could not get over the existing difficulties, and induce the people to act not against the law, but in its favour. When the innocent felt that the law was deserting them, they felt the pressure of the taxes. He trusted that there would be no want of remedial measures, if remedial measures were needed. He would not say a word against those which had been passed. He hoped that they would work beneficially to the country, in the union of classes, and in the benefit and advantages of order; and he hoped that the land laws would be effectual for their purpose. He wished to prevent three or four men dictating who should work with them and who should not; he wanted this to be rendered as impossible in Ireland as it was in England; and he wanted the Government to enforce and vindicate the laws

MR. CHICHESTER FORTESCUE said, he did not think there was anything in the speech of the right hon. Gentleman to which he wished to take exception. There was, indeed, nothing in that speech which was not of a patriotic and public-spirited nature. He rose mainly, however, for the purpose of making some comments on the Motion of his hon. Friend the Member for Roscommon (The O'Conor Don), who had been supported to-day by his hon. Friend the Member for the county of Sligo (Mr. O'Conor). That Motion was directed against the continuance of the Peace Preservation Act, which it was his duty last year to propose to the House. His hon. Friend the Member for Roscommon had described that measure, in words quoted from his (Mr. C. Fortescue's) own speech, as "the most stringent Act of the kind passed within the memory of man." Now, he was quite ready to admit that the phrase he had used required a certain qualification. It would be more accurate to say that within the districts to which the new portions of the Act of last year applied under special proclamations, and which formed but a small portion of the whole area of Ireland, it was the most stringent in its operation of any known in the present political generation. He did not intend to refer to the Act of Lord Grey; but the Government thought it right to place these particular districts under a law of peculiar severity, which he thought had proved more efficacious than any law in Ireland since 1834-5, within the memory of the present generation. And yet in so doing the Government had found less difficulty, and a far larger amount of support from Irish opinion, than was experienced in the case of those former Acts, which were of a less stringent character, because an immense effect had been produced on Ireland by the course of legislation pursued by Parliament. Enlightened Irish opinion had made up its mind to take sufficient and effectual measures to make Ireland a peaceable and an orderly country. Besides, it was well known that the Government in introducing those measures had not produced them as any substitute for deeper and more effectual remedies, but rather as accidental and supplementary measures to those of a deeper and more effectual character which had happily been carried through Parliament. But what were the grounds on which the hon. Member for Roscommon fell foul of the Peace Preservation Act of last year? His objections to it were not very numerous, but undoubtedly they were strong. The first objection was to a clause in which he laboured under a considerable delusion—he meant the clause which enabled magistrates in Ireland to call a witness before them, and to treat him with all the powers of the law given to the magistrates for the treatment of a disingenuous witness, even in case there was no person charged before the magistrate with a particular offence. That he believed to be a proper provision for those districts of Ireland where it was difficult to obtain evidence. But it was a provision perfectly defensible in itself on its own merits, and which might perfectly well be made a permanent and general law extending to all parts of the United Kingdom. The hon. and learned Member for Richmond (Sir Roundell Palmer) observed last year that the only doubt that he had about the proposition was, whether it ought not to be made permanent and general. In fact, the only reason why it had not been extended to England and Scotland was, that the state of things in those two countries did not require it. The only difference which it made in Ireland was this—that in cases where no one was charged with murder or other offence, it enabled the magistrates to call before them any witnesses who, in their judgment, were able to give information with regard to a crime which had been committed, and to treat any such witness as they would have treated him if a person was then before them under a charge of murder. He never had been able to see—and he could not see now—any objection to that principle of the law. He thought it had worked well in Ireland. Then he came to the main charge of his hon. Friend the Member for Roscommon the other day, and of the hon. Member for Sligo that day, against the Peace Preservation Bill—namely, the clause which imposed certain taxation on a district in consequence of crime or outrage in that district. The main charges of the hon. Members for Roscommon and Sligo had reference to those clauses which imposed extra taxation on a district; but they had applied to one purpose evidence given before the Select Committee for another purpose. The unfavourable evidence cited by his hon. Friend the Member for Roscommon was given not against the compensation in case of crime provided for by the Act of last year, but against the system of charging an extra police tax on a district under the old Peace Preservation Act. With respect to the old extra police tax he confessed he remained entirely unconvinced by the evidence given before the Committee as to the impropriety and impolicy of the system. As to the Act of last year, having looked carefully through the evidence given before the Committee, he was unable to find in it any condemnation of the principle or the probable effects of the power of levying rates in order to provide compensation in cases of murder or injury. There were some few cases in which, perhaps, it would have been better not to make the grants; but in framing this and other provisions of the Bill Her Majesty's Government were guided to a great extent by the opinion and experience of Irish Members on both sides of the House. They had provided many safeguards to prevent the occurrence of mistake or injustice, and under the circumstances he did not think the Government would have been justified in omitting the compensation clause from the present Bill. An illustration of the effect which had been produced by the clause in question was afforded by the evidence given before the Committee of last year by Mr. Rogers, a resident magistrate in King's County. The following question was put to Mr. Rogers:—

> "Do you think that the power of awarding compensation to the families of persons who have been murdered or who have suffered from outrages has had a beneficial effect?—I think it has had a beneficial operation upon the people about me. The best way is to give an illustration. A most respectable farmer in conversation with me the other day, in the presence of several others, said, 'Mr. Rogers, for a long time past we have allowed many things to pass round here; but after what occurred at the Assizes the other day it is rather too expensive to let crime run about here as it has done.' I said, 'That is quite true, and I trust you will all to a certain extent be your own police.'"

In regard to the restrictions imposed upon the Irish Press, it was not the case, as had been alleged, that the articles in the so-called "National" Press had been of so mischievous and seditious a character since the passing of the Act as before. It was true that they had enjoyed, within certain broad limits, full freedom of discussion, as anyone who consulted the files of their papers would discover; but in consequence of the special powers conferred on the Executive these journals had ceased to treat the Government and laws of the country with the absolute defiance they showed before the passing of the Act. Their articles might have been "spicy," but they no longer inculcated treason as the first duty of the Irishman, and he was informed that, in consequence, the popularity, circulation, and profit of those papers had largely fallen off. Another good effect of this clause had been to prevent the circulation in Ireland of papers printed in New York, in which not only treason, but murder, was openly advocated. The Government considered that it was for the interest of the country that the special powers conferred on them should be continued, in order that, as one of the witnesses had described it, there might be a "lull" in Irish crime, though he would rather hope that it might prove to be a permanent cessation of the exceptional outrages to which that country had so long been subject. He need say little on that occasion in reference to the speech of the hon. Member for Cork County (Mr. Downing), because the right hon. and learned Gentleman (Mr. Russell Gurney) had so well replied to it, and had pointed out in the most conclusive manner that special legislation was required for Westmeath, not merely on account of the crimes actually committed in it, but even more urgently because of the state of terrorism those crimes had inspired. He must also point out to his hon. Friend (Mr. Downing), who was a consenting party to certain paragraphs in the Report of the Select Committee, that those paragraphs did, in point of fact, establish the case set up by the Government, because in one of those paragraphs it was stated that the outrages of the Ribbon Society, "besides leading to the perpetration of crime, have infused a feeling of terror into the district;" and again, that the Peace Preservation Act had not "furnished the Executive with all the power necessary to deal with crime of that organized and secret kind which characterizes the district in question." Until some hon. Member had disproved the statements in the Committee's Report, to which he had just referred, the House could show no valid reason for refusing to accept the proposal made by the Government. It had been made a subject of complaint that nearly all the witnesses before the Committee had been official ones. That was not altogether the case, inasmuch as three or four unofficial witnesses of the highest character had given evidence; but even if the complaint was well founded, he must remind his hon. Friend that the fault rested with himself, seeing that it was in his power to have produced as many unofficial witnesses as he thought proper. One or two facts had been brought out in a remarkable way in the evidence given before the Committee, and to them he should for a moment refer. The first was, that the district of Westmeath stood in striking contrast to the rest of Ireland. That fact was established by all the witnesses in the most conclusive manner, and it was shown that the Peace Preservation Act, which had produced the most beneficial consequences elsewhere, had failed in Westmeath alone, where it was brought into contact with the long-continued and deeply-rooted crime of Ribbonism. Mr. Cusack had stated that, except in that county, the districts served by his railway were generally quiet and peaceable; and Mr. Julian had said that, in his opinion, nothing could exceed the peculiar difficulty of dealing with crime in Westmeath, and that it was more difficult to eradicate there than in any other part of Ireland. In reference to this point, he wished to correct a singular error into which the hon. Baronet the Member for Londonderry (Sir Frederick Heygate) had fallen, when he stated in his speech a few days ago, that during the three first months of the present year 1,050 agrarian outrages had been committed in Ireland. The error of the hon. Baronet consisted in this—that he had confounded last year's figures with those of this year. The fact was that in the first three months of last year—before the passing of the Peace Preservation Act—1,050 outrages were committed, and after the passing of that Act, only 250 were committed in the course of the whole remainder of the year. In the first three months of the present year the agrarian outrages in Ireland numbered—not 1,050, as the hon. Baronet had said—but 119 in all. That was a sufficient proof of the beneficial operation of the Act generally, though he was fully, however unwillingly, convinced that further special legislation for Westmeath was necessary. He had no desire to separate himself at all from the policy of the Government in asking these powers from Parliament, and if he had still been holding the office of Chief Secretary for Ireland, he should certainly have felt it to be his duty to have brought forward this Bill. The other point to which he desired to refer was the remarkable success already shown to have attended the operation of the measures of the last two years. Nothing could be more striking than the evidence given by the most impartial witnesses of the success that has already attended the Land Act—evidence given by gentlemen not only of great experience, but also of perfect impartiality, for two of these witnesses had been appointed to the posts they hold by a Conservative Government. Mr. Mooney had stated that a better feeling had now begun to prevail between landlord and tenant in Ireland, and that a notice to quit did not produce the same ill-feeling as before, as compensation could be obtained in cases of unjust ejectment. Mr. Julian had expressed the same opinion. It was, therefore, with the greatest surprise that he had listened to the speech of the hon. Baronet opposite (Sir Frederick Heygate), when he said that the evils of Ireland had been inflamed and increased by the legislation of last year; and he could only account for such an assertion by remarking that the hon. Baronet lived in a particular part of Ireland, very much detached from the other parts of the country, and that he consequently had little knowledge of their condition. He was surprised that any man could say that the legislation of the last two years, instead of doing good, had increased the evils of Ireland. The Government had passed measures of permanent redress which consoled them in now applying a temporary remedy. They did not regard this exceptional measure as a substitute for just and far-reaching legislation; but they asked the House to assent to it as an accessory to the permanent measures already adopted, and to confer on the Irish Executive the powers which were necessary to give these and all other good influences in Ireland a fair chance of producing their full and permanent effect.

Mr. MAGUIRE said, he desired to express his views in reference to the proposed measure of the Government, which it was his intention to oppose—

not because he had the slightest sympathy with the state of things against which the measure was aimed, but because he believed it was not the right mode of dealing with it. He was aware how easy it was to misinterpret the motives of those who opposed measures of this kind; but he confidently relied on his own character, as one who had preached peace, and desired to see the law obeyed, to protect him from insinuation of any kind whatever; and without caring anything for taunt, coming from what quarter it might, he would be guided solely by the conviction at which he had arrived—that the measure was not suited to its purpose, and that the evil to be remedied could be removed by other means. Now, he did not for a moment deny that crime had existed in Westmeath, and that it might exist in it again to-morrow. It was no part of his case to deny the existence of serious crime in that district. He admitted it, and he deplored it, and he wished from his heart to know that it was at an end for ever; but the Bill of the Government would not put an end to it, and therefore at all hazard of misconception, he recorded his vote against it. The Government, and those who supported this measure of coercion, quoted and relied upon only such evidence as suited their purpose, and they rejected or passed over all such evidence as told against their proposal. For instance, they accepted the evidence of Dr. Nulty when it suited their purpose; but they treated it with practical disregard when it was not in favour of their views. Then there was the evidence of Mr. Mooney, and that of the Rev. Mr. Crofton. That evidence was quoted and relied upon when useful to their object, and passed over when it tended in a different direction. So long as the opinions of those and other witnesses went with them, they went with the witnesses; but the moment the witness stopped short, or turned into another path, that moment the Government treated the views of the witness as if of no value whatever. But he was justified in resisting this measure on the testimony of Dr. Nulty, on that of Mr. Mooney, and that of the Rev. Mr. Crofton, and also on the admissions made not only by other witnesses, but upon the admissions of those who had charge of the Bill in that House, and in "another place." No doubt it had been said that the passing of a measure of this kind was indispensable to the safety of human life in Ireland; but he had heard declarations quite as strong, and that within so short a time as a year or two since. Thus, for instance, he remembered the Solicitor General for Ireland stating, in his place in that House, that if the Party Processions Bill were not passed into law that Session, it would be impossible to carry on the Government of Ireland; yet the Bill was quietly abandoned in four days after, and the Government of Ireland had been going on very well nevertheless. So that they must not be frightened by those emphatic statements from official sources. Then, again, the Government assured them that this was a momentary measure, and that it was to last only for two years, and no more; but after his long experience in that House, and having heard such assurances given over and over again, he must confess he could not give implicit credence to any statement of that kind. One portion of the Bill was the renewal of the Act of last year, which was passed for one year, and to end then; and they were asked now to renew it for two more—at the termination of which time the House would be asked to renew it for another period. There were certain portions of the renewed proposal to which he gave his assent last year, as being essential in some respects; and the late George Henry Moore—the brilliant and gifted Irishman now no more—was also willing to assist the Government up to a certain point. But there were other portions of it to which he entertained the strongest objections at the first moment, and which he still regarded with the strongest aversion; those were its Press clauses. He should refer to them immediately, and show, from the statement of the noble Marquess himself, that it was impossible to believe that this Bill was intended to endure but for the two years demanded by the Government. But now with respect to the suspension of the Habeas Corpus Act. First, as to the evidence of Dr. Nulty, who did not deny—on the contrary who admitted—the existence of serious crime in the district. What remedy did Dr. Nulty recommend? Greater vigilance on the part of the police, fearlessness and independence on the part of the local magistracy, and adding to the number of stipendiary magistrates, besides greater care in reference to public-houses of evil repute. But that advice was not to be listened to; the suspension of the Habeas Corpus was an easier remedy, and gave less trouble to the authorities. What did Mr. Mooney recommend? Mr. Mooney, who had resided for 15 years in Mullingar, in the very heart of this district, and knew the state of things thoroughly, assured the Committee that, with an efficient police, a fearless magistracy, and a vigorous administration of the law, the evil could be grappled with and suppressed. They would not accept Mr. Mooney's opinion. Perhaps the opinion of Mr. Crofton would be more valuable. Mr. Crofton was asked a most important question by the Solicitor General for Ireland. He was asked what would the result be of taking up the leaders of the alleged conspiracy, keeping them in gaol for two years, and then letting them out? His reply was, that the result would be, they would come out of prison at the end of that time like mad dogs foaming at the mouth—that they would be worse coming out than when they went in. Now, surely that opinion, of a witness, too, who should know something of the matter, was no sufficient encouragement to induce him (Mr. Maguire) to vote in favour of this portion of the measure. But how was this measure described by the Government? As one of the "most unconstitutional character"—entrusting "a great and novel power" to the Executive. But was it really to the Executive they were asked to entrust this great and novel power? Nominally it was to the Lord Lieutenant. Anyone who knew anything of Lord Spencer must give him credit for prudence, humanity, and gentleness; but it was to the constable and not to the Viceroy the power was really entrusted. He objected to place in any man's hands the power of imprisoning another man for two years without a charge being proved against him, or without anyone being able to ascertain whether that man was rightfully or wrongfully committed. They were told, in speeches in that House and "elsewhere," of the Lord Lieutenant's "belief" of the person's guilt or complicity. But the wording of the Bill was quite different—it was "suspect." It was a Bill of suspicions — anybody might suspect anybody — and anybody might be put into prison for two years, because somebody suspected him of being a Ribbonman, or in any way connected with Ribbonism. No wonder the noble Marquess should describe such a power as "a great and novel one," and one of a "most unconstitutional character." He blamed the Government for this — that they did not sufficiently rely on the beneficial influence of their own remedial legislation — that they did not give it time to work out its salutary fruits—that they were, like others, impatient of the natural results of wise and just measures upon the mind and feeling of the people of Ireland. The maddest idea that could enter into the minds of Englishmen was to suppose that a good measure was to bear fruit in a moment—that in an hour they were to witness the happy results of their good intentions towards his country. Change of feeling did not grow up like magic—it took time; and if they only gave it time to grow, and followed up the good measures of late years by a further policy of justice and conciliation, they would certainly witness the result in the feeling they desired to witness. With respect to the Press clauses in the Act which they were asked to renew, what assurance had they that those clauses would not be retained on the Statute Book for the next 10 years? He saw no hope whatever of their repeal for that time, and he would state his reason why he came to that conclusion. When those clauses were first introduced, he resisted them most strenuously, for he believed them to be conceived in the worst spirit of French despotism. No doubt, the resistance made to them on that occasion induced the Government to modify them in some degree; but as they still existed, they were wholly incompatible with the freedom of the Press, respecting which they heard so much in this country. The noble Marquess, when introducing the Bill, in which those clauses were renewed, said they had been inserted for the purpose of preventing the circulation of "downright treason and incentives to murder," which appeared in American papers sent to Ireland, or of those being copied from American into Irish papers. And the noble Marquess read some extracts from certain American papers in vindication of his retention of those clauses against the Irish Press. Was it because some miserable trash was written in reference to an Irish subject in an American newspaper, that the people of Ireland were to be deprived of the benefit of a free Press? There were many able and brilliant writers on the Irish American Press; but there were others who indulged in bombast and extravagance; and was it because paragraphs might be written in a spirit of menace or braggadocio, or in a worse spirit of suggestion, that the Irish Press was to be the victim, of an unconstitutional law? He put it to the candour of the right hon. Gentleman at the head of the Government, to say whether he was of opinion that the Irish Americans were likely to write in a more tender spirit of this country, and its relations with Ireland, for the next 10 years? If not, then those Press clauses must be retained for the next 10 years, if not for a longer time. And was that fair to one portion of the Press of the British Empire? Suppose certain persons were to write in the French Press against this country, and the French newspapers were directed to persons in this country, or reached newspaper offices in this country, would that be a just reason for restricting the liberty of its Press? But would the Irish Americans cease to write in a hostile spirit of England? Certainly not. On the contrary, whenever any difficulty between this country and America might arise, be certain the American Irish would endeavour to aggravate that difficulty, and, if possible, turn it into a disaster to this country and to its interests. The time might come, and he hoped it soon would, when the present hostile feeling might die away, and give place to one of a kindly nature; but as to when that day would come they must altogether depend on the feeling existing in Ireland —which, he prayed, might be one of contentment and cordiality. But was it because a writer in America wrote in a dangerous spirit, or suggested a foolish course to Irishmen, that the Press of Ireland was to be gagged? They were told it was to prevent the circulation, in the Irish Press, of those incentives to treason and murder. But, he asked, ought not an English Government be ashamed to make such a statement in that Assembly? Incentives to murder and treason! Were not those punishable according to the common law of the land? Where were their Treason Felony Acts? Where were special Acts? Why not rely on such lawful means of suppressing and punishing writers of such a character? Surely they had Law Officers — they had an Attorney General, who, not being in that House, had ample time to attend to that important branch of his duty. There was no one who respected the public peace who would not support the Government in bringing all its legitimate powers to bear upon those, whoever they might be, who deliberately preached or propagated such doctrines as those referred to; but he insisted upon it that the law, such as it existed, was sufficient for the repression of any such writings, if really indulged in. The present Bill, embracing two measures of coercion, was based — at least in the minds of some speakers and writers— on a justification which he, as an Irishman, indignantly resented. It had been said that Ireland was a Celtic country, or was peopled by a Celtic race, and therefore must be dealt with differently from a country inhabited by an Anglo-Saxon race. Now, he called that arrant rubbish. It was false in fact and vicious in theory, and if accepted as true would seem to justify any cruelty, or tyranny, or blundering. But, as a fact, it was false —at least, in such a sense as to justify coercion, or account for special crime. Those parts of Ireland which had given the Government the most trouble were not those inhabited by a purely Celtic population. Wexford, at one time, was one of the most difficult counties to deal with. Was that a purely Celtic county? Not at all. It contained a large infusion of the English element. So did Tipperary, so did Meath, so did Westmeath, so did other counties within the Pale; and some persons even went the length of asserting that it was owing to the infusion of this foreign blood that the people were so hard to manage, and so strong and fierce in resisting injustice. However that might be, the fact was notorious that the quieter portions of Ireland were those inhabited by a purely Celtic race — such as Kerry, Donegal, Galway, and others. He had heard it told of people living in disturbed districts who, referring to those living in undisturbed districts, and those notoriously Celtic, had said of them—"Ah, they have not the courage to defend themselves as we do;" or "Those fellows haven't the pluck to handle a pistol, and act like us." That theory of races, the necessity for different law for different races, was not only utterly baseless, so far as Ireland was concerned, but it was villainous in spirit — a theory which would justify any oppression, or any course of proceeding, however illegal or unconstitutional. Its very suggestion was unstatesmanlike and ungenerous. Nay more, so far as respected that country, it was absurd and foolish, and not creditable to its pride. They called themselves an Anglo-Saxon people, a Teutonic race. They were nothing of the kind. They were a mixed race, but more Celtic than Teutonic. The French had been beaten for this time, and therefore you were "Teutons" — part and parcel of the conquering race! Really they ought to be ashamed of such folly. Where was the old British stock? Did not that still exist?—and was not that Celtic? And would anyone say that at any time — especially at a time when miserable vessels struggled with difficulty across the sea — there was such an infusion of the Saxon or the Teutonic blood into this country, as to alter the character of the old British or Celtic stock? No doubt there had been a blending of many races in this country; but so there had been in Ireland—Danish, English, Norman; and therefore it was absurd to attribute that to difference of race which was really owing to difference of laws and government. They had been told that no Celtic jury would return a fair verdict. That was either a stupid fallacy or a wilful slander. Irish juries, be they of whatever race, would generally return a verdict according to evidence; and in such cases as they did not, it was not the Celts who were insensible to the value of evidence. The whole theory was foolish and wicked, and might be used as a cloak to cover all manner of injustice. So far as the administration of the law was concerned, what was required was evidence; and how was this Bill to procure it? Why, by the 13th clause of the renewed Act they might imprison in order to obtain evidence; but all the person so imprisoned had to say was—"Yes, I will be sworn;" and when he was sworn he had only to swear he knew nothing about the matter. They supplemented that failure by absolute imprisonment for two years; and they must do that on the suspicion of a subordinate, not on the belief of the Lord Lieutenant. He would now call the attention of the Government and of right hon. Gentlemen opposite, to a subject of great gravity, and that was with respect to the police of Ireland, as bearing on the question now before the House. He called the attention of hon. Gentlemen opposite to it, for so changing and shifting was the state of parties, that it was impossible to state what might occur even in the present Session. He had seen majorities of 140 dwindle rapidly down to 20, and become minorities—all in a single Session; so that whatever really concerned the tranquillity of Ireland also concerned the interest — the political interest of Gentlemen who might at any moment have to govern that country. He asserted that it was necessary to deal with the question of the Irish police. Against that body he had not one word to say. On the whole, he regarded them as a splendid body of men, as fine as the world could produce, who had done their duty nobly and faithfully; who had been exposed to temptations sufficient to test in the severest manner the moral courage and fidelity of men, but who had come scatheless from the ordeal. But many of those men were discontented — not disaffected, but discontented. And that was what he would ask the Government to inquire into. So far as he could judge there existed a kind of despotism — an extraordinary power held in the hands of one man—which he did not believe to be useful or beneficial either to the force or to the public service. Louis XIV. speaking of the State, said—*l'Etat c'est moi!* So with the Inspector General. The police—*c'est moi*—I am the police. The power ought to be placed in the hands of a responsible Board, with an efficient person at the head, but not with absolute authority; and the more the Government exercised influence in securing promotion according to merit, the more the force and the country would be benefited. He did not speak for the officers—they could fight their own battle; he concerned himself only with those whose friends were few. So much as to the body generally. The noble Marquess admitted that the detective system in the police was not as perfect as could be desired. Then why not improve it? But it was an easier matter to suspend the Constitution than to effect this required improvement. There could be no doubt that a proper detective system was absolutely necessary, especially in a district such as that now referred to. A semi-soldier, with a rifle and bayonet, strapped and collared, was not the right instrument for the detection of crime, and pursuing the offender into the darkness that shrouded him from the glare of day. He would guard the culprit as well as any soldier in the world; but to pursue the criminal and detect the crime required other attributes than those of strength and discipline. It was said by more than one of the witnesses in reference to this very point—"If you send a detective down, he will be twigged in a moment." But it was stated, on the contrary, that in one instance a detective who had been sent down from Dublin was arrested by the police as a dangerous character, and as such was taken before a magistrate. Something the same was told of another detective. Those men were able to get among the people, and would have discharged their duty with success. Thus it was proved that members of the force could disguise themselves so well as not to be known; and, if so, why not employ them in larger numbers, and use them to detect and bring to justice those who were said to be the leaders and chief actors in the alleged conspiracy which the Government were trying to suppress? The Government complained that the people would not give evidence. But who gave evidence in the Fenian conspiracy? Was it the people? No; it was the police. The principal evidence given in which the Fenians were convicted was the evidence of the police acting as detectives. Why, then, could not the same course be followed now, instead of resorting to this clumsy expedient for procuring tranquillity? As to the police, he should only repeat what he had said, and what he had good reason to know—the rank and file, meaning thereby the majority of the body, were discontented, because public service was not followed and rewarded by proper promotion; and he said that was so serious a matter that it deserved to be inquired into by the Government. His mode of putting down the crime which he admitted to have existed, and which might again re-appear, was to send a larger force into the district, and do so without charging the district for them; to add to the number of stipendiary magistrates, and divide the county into small districts for each; and to employ a sufficient body of detectives to get at real offenders. That, in his opinion, would be a far better plan than that of suspecting everybody, and imprisoning everybody suspected by everybody. The noble Earl, who, in "another place," introduced this measure (the Earl of Kimberley) took special care to guard himself from expressing any sanguine expectation as to its useful results; and in that "other place" two experienced statesmen—Earl Russell and Earl Grey—were represented as having spoken strongly against its principle, and of its liability to be abused. The noble Marquess was not very confident of success; but the President of the Board of Trade—who might be said to be more hardened in political life than his noble Colleague—spoke with a feeling of strong hope of the result. Now, taking the whole question honestly into his consideration, he maintained that there were other means of repressing crime, if the Government chose to adopt them, instead of passing this Bill—against which he and others could only offer their protest; and he therefore, so far as his vote was concerned, would not consent to impose on Ireland this stupid and clumsy measure of repression, which was neither suited to the genius of the people nor to the circumstances of the case.

MR. H. A. HERBERT supported the Government, as he thought the time had come for putting an effectual stop to these murders and outrages. He was not less fond of his country than the hon. Gentleman who had just spoken, but he believed that the stoppage of crime and outrage would enable that country to prosper more rapidly. Various arguments had been used against the Peace Preservation Act, but nothing had been shown to prove that that Act worked badly; and, considering the state of things which existed in Westmeath and the immediate neighbourhood, it was essential that the Government should adopt repressive measures, and he thought that every Irish Member ought to support them in that course.

MR. SERJEANT SHERLOCK opposed the measure, on the ground that the Government should rely on the powers conferred upon them by the ordinary law for the suppression of outrages in Ireland, without seeking for the despotic powers which this measure would place in their hands. The result of the appointment of the Westmeath Committee had been to show the existence of great diversity of opinion among the witnesses, most of whom were summoned by Her Majesty's Government. The remedies to be suggested, the wants to be supplied, the measures to be taken, varied in almost every instance as each witness was produced. It was true that the resident magistrates and the official witnesses advised the Government that their proper course was to suspend the Habeas Corpus Act, and no doubt such a course would be effective in saving those officials from further trouble; but in the evidence of Mr. Seed it was proved that since 1846 crime in Westmeath had decreased tenfold. No doubt some crimes were alleged of a sensational character; but would they all bear examination? There was the case of the Rev. Mr. Crofton, an Episcopalian clergyman, who was fired at and missed five times; and could it be believed, under such circumstances, that the man who fired at him really intended to kill him? It was evident that he believed himself not to be the object of the attack, because on feeling himself struck on the occasion of the third shot, slightly losing his temper, he had told those who were firing at him not to be such fools, as he was not the individual whom they were seeking to punish. Having been fired at five times, he had calmly continued his walk, and had then returned to his home and continued his ministrations to his parishioners. If the intention had really been murderous, was it not extraordinary that Mr. Crofton should have survived those five shots? The fact was, that crime had lessened in Westmeath, and the Government ought to try all the ordinary measures which were within their control before they resorted to an unconstitutional measure of this sort. The evidence before the Westmeath Committee showed that in certain districts the local magistrates did not co-operate with the resident magistrates, and it was unquestionable that that want of co-operation must lead to disastrous results in the minds of the people, by creating the impression that the law was not properly administered. As to the police, they were utterly valueless as detectives. The Inspector General of the Police, who was a military man, and who was never in Ireland until he was appointed Inspector General of the Police, said they were the finest corps in existence; but he found it necessary to introduce reforms, and he was now engaged in reorganizing the police. In King's County the Bill proposed to come into operation, not merely in the one barony tainted with Ribbonism, but in other baronies concerning which no word of evidence was given before the Committee. If the Bill passed, as he supposed it would, he hoped the Government would allow it to remain simply upon the Statute Book, and never put it into active operation.

Dr. BALL: It is not with the intention of occupying much of the time of the House that I now rise; but having held a law office in Ireland, I will not take upon myself the responsibility of remaining silent while this measure is under discussion. The Bill consists of two entirely distinct parts; the first of which enables the Lord Lieutenant in Council to suspend the operation of the Habeas Corpus Act in a very limited district in Ireland, while the second part continues and revives the Peace Preservation Act of last year. With regard to the first part of the Bill—suspending the Habeas Corpus Act in Westmeath and the surrounding district—I said on a previous occasion when the Motion was made for the appointment of the Westmeath Committee that I should support that or any other measure which Her Majesty's Government might deem it right to adopt for that district, and that I required no Committee of Inquiry on the subject, as the facts were established by Returns and by the Charge of Chief Justice Whiteside in Meath, and the Charge of Chief Justice Monaghan in Westmeath, which summed up all that the Committee have since found as the result of their investigation. With regard to the second part of the Bill, which has not been the subject of any investigation, I also as strongly support the Government in reaffirming the Peace Preservation Act as in suspending the Habeas Corpus Act. The Bill does not seem to be understood by hon. Gentlemen who oppose it. A large part of the Bill continues previous powers, which for years have been found necessary in Ireland, and which do not touch in any extraordinary degree upon any constitutional system, and cannot be looked upon as exceptional. Objection is made to these powers as standing outside the ordinary limits and paths of the Constitution; but it is a great fallacy to talk of them as necessarily interfering with the Constitution. There is no positive enactment in the Bill which interferes with any part of the Constitution; but a discretionary power is lodged in the Lord Lieutenant, not by himself, but with the advice and sanction of the Privy Council, to supersede the regular system for such time as they in their discretion may think fit. This is a very different thing from passing a measure which would necessarily interfere with the ordinary system of law. How is the Privy Council of Ireland composed? Largely of Common Law and Equity Judges. The most frequent attendants are the Judges. Is there any man can labour under the idea that the Judges in Ireland will give their sanction to the suspension of the law unless a cogent, irresistible, and unanswerable cause arises? Wherever has such a power as this been used oppressively? There is not an Irish Member will rise and say that any Act of this kind that ever passed has been applied by the Lord Lieutenant so as to oppress any place or any person. The Bill is a mere preventive measure. It may never be required to be brought into operation. What, then, will be the effect of it? The effect will be, without any extraordinary proceeding or harsh measures, to deter persons criminally disposed, and thus prevent crime. Sir Robert Peel, when introducing a measure similar to the present, stated that previously to that time sixteen measures of this character had been introduced into Ireland, and that in no instance had they failed. I prophesied that if a strong measure was passed it would not fail; because it is the nature and character of the Irish, when dealt firmly with, to submit, and abandon what rendered the measure necessary. The Peace Preservation Act introduced last year has so well operated that I find in Ireland one most forcible evidence in regard to the degree to which the suppression of crime has taken place. I see that the Estimates for the prosecution and suppression of crime in Ireland for the year since that is £11,000 less than the Estimate for the antecedent period; and there has been a decided diminution of crime. But it is not because crime has diminished and lawless persons been suppressed that we are to abandon the course, and throw away the very weapon by which this end has been effected. Anyone who believed that because crime was suppressed it would not break out again would assume a great fallacy. It is always ready to break out, and there is now a county in regard to which I have reliable information to the effect that at this moment great part of it requires the operation of this Act. That is the county Mayo. As the Judges left Castlebar a person who had been serving on the jury was fired at and wounded, and I find by Returns moved for by the Marquess of of Clanricarde—whose opinion in regard to the West of Ireland is entitled to the greatest weight—that there is a portion of that county which imperatively demands that the discretion proposed by this Bill should be in the hands of the Lord Lieutenant. Again, only to-day I saw an announcement of a murder, plainly an agrarian one, which had occurred in the county of Monaghan. It would, therefore, be the utmost folly on the part of the Government to abandon the wise provisions of the Peace Preservation Act, especially as they had been so instrumental in preventing crime. The clauses relating to the freedom of the Press have been made the subject of strong observation. But, Sir, the Press is the fount and source of a great part of the disaffection of Ireland. If the people have their minds fed continually with stimulants in the shape of articles against the connection with England, against law and authority, the inevitable result will be that they will cease to respect the law, and fail to have any adequate appreciation of the evil of crime. Only a year has elapsed since these provisions became law, and yet the noble Lord the Chief Secretary for Ireland mentioned recently that a considerable supply of seditious and treasonable writing had been seized coming from America. Why were these writings thus sent over? Because the demand is in the country, and when you suppress the native article the people seek to be supplied from a foreign market. I am not prepared to withhold from any Government these powers when they ask them, because there is a vast amount of information in the Castle of Dublin which is not known to Members of Parliament. Ireland is governed in an extremely peculiar manner, and I doubt whether there is anything like it in England. Every fact respecting crime and disaffection is daily transmitted to Dublin Castle, and the authorities there are thoroughly acquainted with all that is going on in every part of the country. If, then, the Government, acting on that information, came forward and said they thought it necessary to obtain, not repressive, not coercive, but preventive powers, on what ground could anyone be justified in refusing to give them to them. I, for one, am not prepared to undertake such a responsibility. There are other things which appear to me to necessitate this measure, and these are found in the Report of the Committee. I entirely dissent from the hon. Member for Cork (Mr. Maguire) in regard to the conduct of juries in Ireland, because in consequence of the condition of the juries and the constitution of the panels you are placed in a position that you can only use preventive measures. Captain Talbot states that the panel in Westmeath, not being a large one, is soon exhausted by challenges, and when it is you can only get a jury upon which there is the greatest chance there will be one or two sympathizers with the prisoner. Consequently, the jury generally disagreed. Mr. Julian, the Crown Solicitor for Westmeath, also gave it as his opinion that after the challenges were exhausted juries could not be depended upon, and Mr. Seede, the Senior Crown Solicitor for Ireland, declared that—

> "When the country is disturbed it requires a very large amount of moral courage to act uprightly as a juror in an agrarian case. If some of the higher class come forward to do their duty, they may find themselves in the same jury box with some relations or allies of the prisoner; then the jury disagree, and the honest and faithful jurymen incur all the odium and danger. A class of jurors will be found on all the panels of petty jurors in Ireland as now constituted, who are wholly unfit to be entrusted with the trial of any prisoner for an agrarian crime. I heard it stated that on an important trial lately three of the jurors had actually subscribed for the defence of the prisoners they were trying. The formation of the petty jury panel is now entirely at the discretion of the sub-sheriff, who is often the friend of, and influenced by the attorney for the prisoners."—[Q. 2355.]

Mr. Seed goes on to say—

> " . . I think that the state of the petty jury panels in Ireland at this moment is perfectly frightful; it is utterly absurd at present, in my opinion, to expect that justice can be effectually administered if the petty jury panels are not amended. Now, for instance, take the jury empanelled for the special commission in Meath last June; I would not have returned that panel, nor would I, as Crown Solicitor, have ventured to prosecute a case for the Government at the quarter sessions if the persons returned on that panel were to try the cases; I knew them to be influenced by fear; I knew some of them to be implicated in the Ribbon conspiracy, and quite unfit to try any case."—[Q. 2395.]

Mr. Seed proceeded to remark that he made a representation of this very important fact to the Government. He said—

> "I had a consultation at the Castle with the Attorney General, and the Attorney General was quite shocked, as he well might be, when I handed him the panel for the special commission of Meath. He said to me, 'What do you say to this?' I said, 'Leave the matter to me, I will select a jury;' and three days before the commission opened I wrote to the inspector of the county, and desired that he would have every sub-inspector from each district in the county before me, in order that I might go through the panel and ascertain the character of each juror; the consequence was that I set aside 47 of the gentlemen, and I succeeded in getting a jury of six Roman Catholics and six Protestants, one of whom was a Presbyterian; so that there were the three great sects represented upon that jury; and I think, as regards the state of the panel at the present time, a great deal might be done by a little previous trouble and inquiry."—[Q. 2397.]

We have heard from the Crown Solicitor and the stipendiary magistrate for Westmeath that when 20 jurors had been challenged there was no chance of getting an unanimous verdict from the remainder of the panel, and also that it was impossible to obtain information on which to base criminal proceedings with any hope of success. This being so, what course is open to the House but to support Her Majesty's Government in passing a law which they believe to be essential for the maintenance of law and order? The right hon. and gallant Member for Roscommon (Colonel French) had certainly suggested a curious remedy, and one which I should be sorry to adopt—namely, to swear in a number of special constables and immediately put an end to disorder. The right hon. and gallant Gentleman, when before the Committee, stated that he had resorted to this plan himself on one occasion, and so put down a number of disorderly persons; but when the Solicitor General for Ireland endeavoured to obtain information as to the persons so put down the facts appeared to be as hazy as those narrated by Falstaff in his account of the 12 men in buckram suits at Gadshill. If they had such a force I should recommend them not to trust them. Lord Chief Baron O'Grady, the first man of pure Celtic blood who sat on the Irish Bench, when asked by Lord Anglesey, in regard to the Terry-Alt movement, how such things could exist in the country, made a witty reply. "Here in England," said Lord Anglesey, "we should have had out the *posse comitatus*." "That, said the Lord Chief Baron, "is the difference between England and Ireland; we want the *posse comitatus* to remain at home." One of the most extraordinary documents produced before the Committee was the pastoral charge of Dr. Nulty, in which he said that before many days they would witness these secret societies co-operating with the weak and pusillanimous Executive, in order to hand over the people to the tender mercies of a party that was never known to exercise absolute power with moderation. I am afraid we shall not be likely to achieve much good by listening to the advice of gentlemen who talk or write in a strain like this. The Bishop, indeed, said he did not intend the Charge for the House of Commons, but for his people, for whom it was posted on the door of every chapel. But I must say, if he intended to put down Ribbonism the worst way to do so was to say that the Executive in Ireland was weak and pusillanimous, for if ever there were people who needed strength in the Government: they are the persons who commit these crimes. But I cannot let the expression pass without saying that if by "weak and pusillanimous Government" is meant my learned Friends the Attorney General and Solicitor General for Ireland, I beg to say that I do not agree with it. My right hon. and learned Friend the Attorney General showed the firmness of his character in the trial in Meath, and if you will give him the means he will be equal to the emergency. But the Bishop may have alluded to very different matters, and may have founded his remarks on speeches and declamations tending to foster notions of Ireland for the Irish, and governing that country according to Irish ideas, and may have attributed to the Executive that in which they have no concern. In conclusion, Sir, I have no fear as to the result, and I most cordially and heartily give my support to a Bill which I believe capable of coping with the melancholy state of Westmeath, and which may meet the dangers apprehended in other parts of Ireland.

MR. BAGWELL said, that something was necessary to be done in order to put an end to a state of affairs which had been correctly described as intolerable. But there were two ways of arriving at the same end, and he thought the Government ought to have exhausted the powers to be obtained by using and improving the existing law before resorting to extreme coercive measures like the one before the House. What was the present state of the country now in regard to its police administration? The rank and file of the police were, physically and morally, the finest body in the world. But how were they officered? By literary competitive examinations. When there were three or four vacancies, 12 or 13 young gentlemen competed, and men such as were needed—men who could take hold of a man and make him prisoner, and ride effectively over a country—did not succeed; but those who were, it might be, diminutive and very poor, and very chicken-hearted creatures, though having a little more ability for taking in information. The men of the constabulary generally had no confidence in their officers. He did not mean to blame a Liberal Government more than a Conservative Government, because, when the question was the coercion of Ireland, unfortunately all political parties in that House, excepting the Liberal representatives of Ireland, sunk their differences in order to unite together in the work of inflicting a penal measure upon Ireland. The Government had taken from the country gentlemen of Ireland such power as was given to the justices in England, and had transferred it to those who were now called "resident magistrates." Their appointment, however, was entirely a political matter, and it was wholly a chance whether the man appointed made a good magistrate or a bad one. He contended that, as those resident magistrates were intrusted with more power than a nobleman who was the Lord Lieutenant of a county, the Government ought to take care that proper men were appointed to such posts. The head of the police—the chief director of everything in Ireland—was Sir John Stewart-Wood, a most gallant officer, a man of great experience as a soldier, but who was selected wholly irrespective of his qualifications for the discharge of the duties of the chief of police. That gallant officer, in his evidence before the Westmeath Committee, stated that he had never been in Ireland in his life before he was given the post of deputy-inspector. Was that such an appointment as would tend to reconcile the people of Ireland to the Government of this country? Sir John Stewart-Wood also told the Committee that he objected to the Irish constabulary doing many duties which were performed by the police in England, his greatest objection being to their having anything to do with gun licences, although that ought to be their chief duty, as the Government had endeavoured to prevent the importation of arms into Ireland, and it was one they might have undertaken without doing away with their self-esteem. With respect to this Bill, it seemed that the House was called upon to re-enact the Peace Preservation Act of last year without going into Committee on the clauses of that measure, or having any opportunity of making such amendments as might be thought necessary. [Mr. GLADSTONE dissented.] The 30th section of that Act enabled grand juries to give compensation to persons who suffered loss in consequence of the murder of those on whom they were dependent. At the last Assizes for Tipperary the grand jury (of whom he was foreman) had two such cases before them, and they, feeling that they were bound to carry out what the Government thought a wise measure for the preservation of the peace of Ireland, gave £500 each to the wives of the men who were murdered. In one case the murder was committed in the district in which it was planned, and therefore there was no difficulty in levying the compensation on the proper persons; but in the other case, the parties concerned in the murder lived seven or eight miles from where the deed was committed, yet it was the latter place that had to pay. Some amendment in that respect was, he submitted, required to avoid such an injustice. If they desired to prevent the introduction of American newspapers, why was it not possible to do that without restricting the liberty of the whole of the Irish Press? He was not one of those squeamish friends of Ireland who would object to anything if he believed it to be necessary. If the Government had proposed simply to suspend the Habeas Corpus Act, they would have done it upon their own responsibility; but believing this Bill to be unfair, to be unjust, and to be calculated to do great harm to Ireland, he should give his support to the Amendment moved by his hon. Friend the Member for Roscommon (The O'Conor Don).

MR. JOHN MARTIN: Sir, before the passing of this Bill I wish, with the permission of this House, to make a few remarks upon the character of the measure and upon the state of things prevailing in the parts of Ireland affected by this Bill. I do not, however, intend to vote upon this Bill, nor, indeed, upon any other measure which this Parliament may think proper to pass in respect to the Government of my country. It is, Sir, I contend, the inalienable right of the Irish people to be a free people; and, as a free people, to be bound only by laws made by the Queen and a free Parliament of that kingdom. It is true that in 1800 the English Parliament usurped the power of making its laws, and also that for the last 70 years Her Majesty's Irish subjects, yielding to superior force, have submitted to that usurpation, and have been ruled by the will of Her Majesty's English subjects. But the Irish nation has never consented to that usurpation, and the right of Ireland to a free Parliament of her own, and to a distinct government from that of this country, under the Queen, is as valid in principle of law at the present day as it was in the year 1783, when the English Parliament solemnly declared that right to be established and ascertained for ever, and one not to be questioned or questionable hereafter. As an Irish Representative, therefore, holding the national sentiment prevailing amongst the vast majority of the people of Ireland—and which, it seems, is well known to hon. Gentlemen who have spoken in favour of this Bill, does prevail with the vast majority of my countrymen—as an Irish national Representative, therefore, I do not intend to vote on this question. Indeed, if I could prevail upon myself to vote at all in this House, it would be idle and vain for me to think of voting in the present case; because this Bill being introduced by the Government, and having for its object to put the people of Ireland under new coercion—it being a new Coercion Bill for Ireland—the measure will be sure to have the support of the great majority of hon. Members on both sides of the House. Many of the Liberal supporters of the right hon. Gentleman at the head of the Government might fall away from him when the question was a match tax, or an additional 2*d*. in the pound income tax—at least, many of the right hon. Gentleman's English Liberal supporters. And as to hon. Gentlemen on the Opposite side of the House, they are no doubt making a fierce and obstinate fight against the Ministers' Army Regulation Bill; but when the question is merely to cast a new insult upon the people of Ireland, they will, with open-handed liberality, bestow upon the Ministers any powers which, in the very wantonness of despotism, they may ask for. Alas! it is very painful, Mr. Speaker, for me to be expressing my sentiments in this House. I am, however, thankful to the House and hon. Members generally for the courtesy with which they have listened to me so far; I shall not trouble you long. I say that I find that the feeling in this country, and the feeling of the English people as represented in this Parliament, is still one which regards the people of my country as "the Irish enemy." ["No, no!"] Yes; I say yes—such at all events, is my impression — the Irish enemy—a section of the Queen's subjects, to be treated by exceptional legislation, exceptional in every sense, exceptional even in the measures that are proposed and intended to conciliate the Irish people, and which are called concessions to the Irish people; and which are exceptional in this sense — that whereas the measures for England, passed by this Parliament, are always such as the majority of the English people wish or demand, the measures, on the other hand, passed for Ireland are generally such as are opposed to the opinions and desires of the great majority of my countrypeople. Therefore, I say, it is not that alone which convinces me, but the language which has been used in this debate, and that of the English Press generally, proves that I am not mistaken in the unhappy, the sad conclusion I have come to—that this nation, which has usurped the power to rule Ireland, still looks upon the Irish people —still regards them as the Irish enemy, and that the policy of the English rule, and the maxim of the English legislation for Ireland is now, as it was 400 years ago,

> "——Adversus hostem æterna auctoritas."

[A VOICE: Fine words.] Better than fine words, they are true words. Now, as to the merits of the Bill itself, I think that the principal reasons against it are—first and chiefly, and therefore a sufficient reason if there were no others—that it is against law; next, that it is founded on false and frivolous allegations; again, that it will not remove the causes of discontent and disorder in Ireland; and, again, that it will cause terror and losses to innocent persons and increase disaffection; and, finally, that the true method of dealing with these disorders—and here I may observe that I yield to no man in this House in desiring that order should be maintained—I repeat that the true method of dealing with the disorders that do exist in Westmeath, but by no means to the extent represented, is not to suspend the Habeas Corpus Act, but to suspend for a time the system of illegality with which this Parliament and this country rule my country. I say, Sir, that the title of this Bill is a misnomer. It is called a Bill for the Protection of Life and Property in certain Parts of Ireland. But like all the other Bills which have been introduced for the purpose of violating or suspending the Constitution of Ireland, such as the Peace Preservation Act, the Crime and Outrage Prevention Act, and a great many of the similar Acts passed especially within the last 25 years, there is a falsehood implied in the titles of all these Acts, when it is alleged that in Ireland the crimes are more numerous and of greater atrocity than those committed in England — that life and property are less safe in Ireland than in England, and that the peace is more difficult to preserve in Ireland than in England. Now, the fact is that both life and property are much less insecure in my country than they are in England; that crimes are both fewer in number, and, as a general rule, less atrocious morally in Ireland than they are in England; and that it is quite as easy to preserve the peace in Ireland as it is in England, provided that the same means be applied in both countries. If I were to go on I could give proofs, as they appear to me, of the general statements I have made as to the comparative degree of criminalty in the two countries; but I shall not go into the details, because that will not remove the cause of discontent and disorder. There are in Ireland certain crimes and outrages as there are in every country, and there are in Ireland crimes and outrages of a peculiar kind and peculiar to that country; but the state of things in which they are committed has been produced by exceptional and peculiar circumstances; and this House has certainly admitted that there were, and that there had been in Ireland for many years, peculiar causes of discontent, and that it was natural that the discontent of the people, caused by injustice, should manifest itself occasionally in the violation of the law. As to the comparative criminality in the two countries, and as to the Returns of crime upon which is based the present measure, and upon which it is supported by its advocates, I will only make this remark to illustrate the manner in which hon. Members of this House, from ignorance of my country, are accustomed to deal with it. The right hon. and learned Member for Southampton (Mr. Russell Gurney), on the first day when this question was debated, called the attention of the House to the Returns of crime and outrage that had been reported by the police to have been committed in Westmeath during 14 months from the 1st of January, 1870, to the 28th of February, 1871, and he told us 115 cases of crime and outrage were reported by the police as having taken place within that period. But he neglected to analyze them, for if he had done so, he might have told the House that of the 115 cases, 65 were for sending threatening letters and notices, and 36 cases of intimidation, reducing the number to 14, and of these 3 were for murder, and 4 for attempts at murder. I remember when I was last in attendance in this House, the Spring Assizes for the county of Chester were being held, and I recollect reading Mr. Justice Mellor's charge to the grand jury, in which he stated that the calendar for that single Assize contained 50 cases of homicide; and as to the comparative criminality of the Irish and English county, admitting that Chester contained six times the population of Westmeath, it appeared to be three times less in the Irish than in the English county. As to the argument dwelt on by a great many speakers, that it is very difficult to detect crime in Ireland and bring the criminals to punishment, I have seen a statement which gives the number of coroners' inquests for murder in England within the last 10 years at 2,497, whilst only 247 criminals out of that number were detected and punished—that is to say, less than one in ten. If, then, the suspension of the Habeas Corpus Act be a proper means to employ for detecting and punishing crime, it seems to me you have very great need for it in England. But the difference between the government of my country and that of England is, that in England it is held to be the rule of the Government and the Legislature that the Constitution shall not be suspended—that the Habeas Corpus shall not be suspended except in the case of foreign war or insurrection; it is not employed in England for the detection and punishment of crime when there is no insurrection nor any foreign war going on. Then, with regard to conspiracy and the disposition to conspire in Ireland, there can be no doubt there has been that disposition in the people; but the circumstances were such, as has been acknowledged by the passing of the Land Act, as to account for that desire in Ireland to resist the law. There have been Tories, Rapparees, Terry-Alts, White-boys, Captain Rock, Captain Moonlight, and such like combinations in Ireland, ever since this country got possession of the whole of the Irish territory, and attempted to extirpate the Irish, planting English descendants on that soil. It was natural that such a state of things should cause the people of Ireland to feel that they were put outside the protection of the law, and so they combined to endeavour to be a law unto themselves, and form themselves into a Vehmgericht or Vigilance Committee. But has there been no conspiring against public order and law in England? I remember reading accounts of the rattening system in Sheffield, and am still under the impression that the rattening conspirators committed many crimes in Sheffield; but that very few of the crimes were detected, and the offenders punished. I never heard the proposition hinted at by any hon. Member of this House that it would be well to suspend the Habeas Corpus Act to deal with the conspiracy which existed in Sheffield; but, on the contrary, Parliament sent a Royal Commission to inquire into the cause of the discontent and the disorder. But this was in England: a different system is always employed in Ireland. I do not like to weary the House, and it would be vain in me to try to produce an argument that would do justice to my own sentiment and my own knowledge in this matter, if time even permitted; it is sufficient for me to repeat that I consider the proper way to deal with the disorder that really exists in Westmeath is by the adoption of just such a scheme as the right hon. and learned Gentleman the Member for Dublin University (Dr. Ball) described, with an attempt to be very funny, when he mentioned that the right hon. and gallant Gentleman the Member for Roscommon (Colonel French) had related to the Committee how such a scheme was put in force in that county in 1848. I remember hearing my old friend Mr. Smith O'Brien say he made a similar suggestion, which proved successful in Clare against the Terry-Alts, and I will go a step further than the right hon. and gallant Member for Roscommon, and will say that the proper way of checking and suppressing the disorder that really exists in Westmeath is to cease for a time the system of jury packing, to suspend the Discovery of Arms Act, and allow the population of the county to arm themselves—[*Laughter*]—to arm themselves; and allow the population of Westmeath and all Ireland, whom you call your fellow-subjects in bitter irony, to arm themselves, and form themselves into Volunteer companies for the preservation of the peace within their own bounds. [*Laughter.*] This scheme seems laughable to many hon. Members of this House; and the right hon. and learned Member for the University of Dublin (Dr. Ball) has told a comic anecdote about the *posse comitatus* in Ireland, to the effect that a certain Judge, when it was proposed to call out the *posse comitatus* to suppress disorder and preserve peace, said—"What we" (the rulers of the country) "desire is to keep the *posse comitatus* at home." Now, I think that in that remark the right hon. and learned Member for the University of Dublin admitted the whole of what I have been alleging—namely, of England being a dominant country and Ireland being a subject country. It is the fashion to talk of the Irish as the fellow-subjects of the English; but if this were truly so—if the Irish subjects of the Queen were governed by law and in accordance with the principles of the Constitution, as the English subjects of the Queen are, then there would be no objection to calling out the *posse comitatus* to preserve peace. The English Parliament and the Government have been ruling my country against law, and in spite of law, and in violation of the principles of your free Constitution, for the last 70 years, and you are endeavouring now—at least, your dominant party are—by measures of conciliation, to reconcile the Irish people to the rule of England; but I give you my opinion that, though it is possible you may be able to preserve your superior power over Ireland for a long time to come—to keep the people of Ireland subject to your superior force—you will never reconcile the people of Ireland to be your subjects. We are content to be the subjects of the Queen, but not of the English; and the sooner the people of England and her statesmen make up their minds to look to the matter from that point of view the better it will be for England. The Irish are quite willing to be your friends—to be good neighbours; but we will not consent to be your subjects—for, practically, that is what my countrymen are this day—subjects not to the Queen, but to England. This may seem to many hon. Members the dream of an enthusiast; but I warrant that if you inquire into it you will find that I speak the truth when I say that I believe, before many years have elapsed, that truth will be shouted into your ears by the people of Ireland, as represented by your permission in this House. If England's rule were to last 700 years longer in Ireland, the Irish would still keep up their love of freedom—their resolute adherence to their national right.

SIR HERVEY BRUCE moved that the debate be now adjourned.

MR. DISRAELI wished the Prime Minister to re-consider the proposal for adjourning that debate to Friday morning, because these Morning Sittings were practically a great strain on the privileges of independent Members; and the right hon. Gentleman must see that Morning Sittings, although extremely effective when they had to deal with a Bill in Committee, produced very little despatch when they were discussing the principles of a measure on the second reading. If the right hon. Gentleman would only fix on an evening for proceeding further with the second reading they would make much greater progress, and not interfere with the privileges of private Members.

Mr. GLADSTONE said, that Thursday evening had already been appropriated in compliance with the request of the right hon. Gentleman himself, and it was impossible to postpone that measure till Monday. Sensible as he was of the inconvenience of fixing it for another Morning Sitting on Friday, he had no alternative but to do so. As the debate had shown some symptoms of being nearly exhausted, he proposed to put the Lords' Amendments on the University Tests Bill down as the second Order on Friday.

House suspended its Sitting.

House resumed its Sitting at Nine of the Clock.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Nine o'clock.

HOUSE OF COMMONS,

Wednesday, 17th May, 1871.

MINUTES.]—Public Bills—*Ordered—First Reading*—Poor Law (Provisional Orders Confirmation)* [148].
Second Reading—Permissive Prohibitory Liquor [11], *put off;* Consolidated Fund (£7,000,000)*.
Second Reading—Referred to Select Committee—Sequestration of Benefices* [80].
Referred to Select Committee—Benefices Resignation* [111].
Committee—Report—Pier and Harbour Orders Confirmation (*re-comm.*)* [146]; Salmon Fisheries* [75-147].
Considered as amended—Pensions Commutation* [122].
Third Reading—Police Courts (Metropolis)* [131]; Burial Law Amendment* [125], and *passed.*

IRELAND—THE CONSTABULARY.

EXPLANATION.

Mr. BAGWELL said, that in one of the usual organs of information he was reported to have said, in the course of yesterday's debate, that some of the officers of the Royal Irish Constabulary were poor and chicken-hearted creatures. He wished to give a brief explanation on this subject. His hon. Friend the Member for Cork had spoken of the Irish police being discontented because promotion did not follow upon fair public services. He (Mr. Bagwell) then spoke of the absurd system of appointing officers to the police by a system of competitive literary examination, whereby in an examination of 13 men for, say, three vacancies, the 10 men rejected might be everything that could be desired from their physical and moral qualities, while the successful men, who had been better crammed, might be men of diminutive stature, who could neither ride a horse, nor jump over a ditch, nor hold a prisoner. He could not conceive that the word "chicken-hearted" could have escaped him in speaking of any Irishman. He knew many officers of the Royal Irish Constabulary, and a finer or braver set of Irish gentlemen did not exist on the face of the earth. He begged to say most emphatically that he spoke of the system of competitive examination, and not of the officers of the Royal Constabulary.

MINES' REGULATION BILL.

QUESTION.

Lord ELCHO asked the Secretary of State for the Home Department a Question with reference to the Mines' Regulation Bill. It was, he believed, the right hon. Gentleman's intention to separate the portion of the Bill affecting metalliferous mines from that which related to iron and coal mines; and he desired to be informed whether this would be done at once?

Mr. BRUCE replied that on Monday night, at a rather late hour, he put the Bill in Committee *pro formâ,* in order that he might bring in a separate measure dealing with metalliferous mines. Consequently, the Bill had reference now only to coal and iron mines.

Sir GEORGE GREY expressed a hope that the Bill would be discussed at a Morning Sitting as soon as possible after Whitsuntide.

Mr. BRUCE said, he also was desirous that the subject should be considered at a Morning Sitting; but at present he was unable to fix a day.

PERMISSIVE PROHIBITORY LIQUOR BILL—[BILL 11.]

(*Sir Wilfrid Lawson, Sir Thomas Bazley, Lord Claud Hamilton, Sir John Hanmer, Mr. Miller, Mr. Dalway, Mr. Downing.*)

SECOND READING.

Order for Second Reading, read.

SIR WILFRID LAWSON, in moving that the Bill be now read a second time, said, that although the measure might not be approved in the same degree in the House as it was out-of-doors, yet he was sure every hon. Member of the House was quite in accord with him in desiring to attain the object at which the Bill aimed—namely, the mitigation or removal of the drunkenness which at present was the great curse of this country. His right hon. Friend the Home Secretary, on the last occasion when this question was debated, remarked that he (Sir Wilfrid Lawson) had erroneously described drunkenness as the greatest cause of our crime and pauperism; and the right hon. Gentleman suggested that it would have been better if he had said it was a great cause of our crime and pauperism. Well, he would be satisfied to adopt that definition, and would state his case on the ground that drunkenness was one of the causes of the crime and pauperism existing in this country. It was unnecessary to weary the House with many statistics, because, after all, they did not prove very much one way or the other. If intemperance were decreasing as was said, yet it was decreasing so slowly that it constituted a great evil, to which Parliament ought to direct its attention; for even if the drink consumed were nothing more than a luxury, it would be sad to see so enormous an amount of money spent upon it. Although he promised at the outset not to trouble the House with any statistics, he must confess that the advocates of the Bill were very much indebted to the researches of his hon. Friend the Member for Derby (Mr. M. T. Bass), who had caused a pamphlet to be published, showing that the capital invested in the drink traffic was no less than £117,000,000; while other statistics proved pretty clearly that the annual expenditure on strong drinks considerably exceeded £100,000,000. Now, he must say again he thought it truly lamentable such a sum should be expended by a country, the people of which were so deeply imbued with pauperism. Then with regard to the statement that drunkenness was on the decline, he found that the judicial statistics for 1870 showed that there were 131,000 drunk and disorderly cases, as compared with 122,000 in the preceding year; in addition to those, he should ask the House to remember the immense proportion of other crimes caused directly or indirectly by drunkenness. His case was that the present law erred and was defective, because it placed a vast amount of temptation to drunkenness before the poorer classes. He did not say that the majority of his countrymen were drunkards, far from it; but there was a small minority who were totally unable to control their actions when temptations were put in their way, and who, yielding to the temptations placed before them, became a burden to themselves and a curse to the community. It was upon that ground he said the community had a right to interfere: it was upon that ground he said he was justified —nay more, he was performing an absolute duty—in prosecuting his Bill. In his opinion, more harm was done by the so-called respectable houses than by low publichouses and beershops. No doubt, as was said by the hon. Member for Leeds (Mr. Wheelhouse), if these temptations were removed, many people would suffer inconvenience by being deprived of the opportunity of gratifying their tastes; but this inconvenience would be as nothing compared with the benefit which would arise to the community from such temptations being removed from the mass of the people, for men would not be human beings if they did not endeavour to increase the consumption any article of which they were licensed to sell. Hence it was that, although their intentions might be of the very best, and though they hated drunkenness as much as he did, the keepers of publichouses did, in fact, contribute to the drunkenness of the country by carrying on a traffic which was 16 years ago described by *The Edinburgh Review* as "a public nuisance, particularly in its retail branches, physically, economically, and morally." He made no charge against the liquor sellers—indeed, he had seen reports of statements made at licensed victuallers' dinners to show that there was no class of traders in the country possessing a higher character;

but what he objected to was that these persons, who were the salt of the earth, specially selected by the magistrates on account of the loftiness of their moral character, should be engaged in a traffic the result of which was pauperism, misery, and degradation all over the country. That was not his opinion only; for he could cite, but that it might weary the House, a host of facts in support of his argument; but as it was, he would only mention a few. The House would remember that a few years ago a Committee of Convocation made inquiry into this subject, and, finding that sobriety and order reigned in districts in which the publichouses had been closed, reported in favour of the Permissive Bill. They had often heard, too, of what Sir Titus Salt had done in removing the temptations which existed in the midst of his manufacturing community at Saltaire, and the result was that the people all blessed him for what he had done, and trusted that he would never allow publichouses to be there again. He (Sir Wilfrid Lawson) was speaking recently to an hon. Member of that House for one of the northern boroughs, who told him that in the neighbourhood of his works he had prohibited any publichouses being built near them, and the result was, that there was no finer class of workmen in the North of England than his; but the other day when he asked him how the system was working, he told him that another firm, close at hand, had set down some publichouses, and that his men were becoming demoralized and corrupted. Now, he said that it was a shame that such a thing should be permitted. They knew that in Scotland the success of local prohibition, wherever tried, was the same as in England; but he should like to make one statement concerning a large district in Ireland, but as the noble Lord opposite (Lord Claud Hamilton), who would probably second the Bill, would refer to it, he would merely say that over the very large territory which was represented by the noble Lord the prohibition system prevailed, and there comparative peace and prosperity reigned. He would only quote one other opinion, to contradict a statement which he saw in yesterday's *Telegraph*. In a leading article of that paper against this Bill, it was stated that prohibition had failed in America, and that in the New England States it was dead; but what was the condition of things to-day? Why, the New England States, which were the most enlightened and refined of all the States in the Union, were the least likely to abandon the experiment. We were assured that prohibition in New England was dead. That was an anonymous statement; but the statement that he would give he had heard from the mouth of Mr. Gould, the United States' Consul at Birmingham, and it was stated at a public meeting—

> "In the cause of education and temperance Maine is a leading State, for there was first enacted the Maine Law, which has since been extended in its leading features to all the New England States. The question is often asked, if that law is not a failure; and you can judge for yourselves when I state certain facts with which I am perfectly familiar. There are drunkenness and crime there; but the one is disgraceful, and but seldom seen among those who are considered respectable people; and crime is so lessened that only in a few of the largest towns is it necessary to maintain a police force. Windows are never closed with shutters at night, and there is a feeling of general security. Pauperism is confined to the young and helpless, or the old and feeble who are friendless. Many of the towns have no poorhouse or poor tax; and the whole State does not probably average more than two to a thousand of the inhabitants who are chargeable to the public. It may be considered oppressive to enact such laws; but a system which banishes the sickening scenes and the revolting crimes which are the results of drinking, which empties poorhouses and gives security to life and property without the omnipresence of police officers, is not especially objectionable in its repressiveness."

He had heard Mr. Gould state that over about one-half of the Union the prohibitory law, in one shape or another, was on the Statute Book, and he could quote other authorities in support of the successful working of that law. He hoped, then, they would not be led away by any anonymous statements, even when they appeared in the paper which had the largest circulation in the world. The hon. Member for Leeds would no doubt refer to the ingenious modes by which the law was evaded in America, such as being asked to kiss the baby, to walk in and get your boots blacked, to come in and look at the striped pig; but the very fact of such evasions showed that the law was found to bear heavily upon persons who desired to indulge their vitiated taste for intoxicating drinks. The Home Secretary, in his speech the other day on the Licensing Bill, referring to a certain place in the North of England where a landlord had tried to enforce prohibition and had failed, omitted to state that the landlord in question expressed the opinion that the evil would be remedied by the adoption of the Permissive Bill, "if such prohibition could be efficiently enforced."

MR. BRUCE: The gentleman referred to finished his statement by giving a list of recommendations for the foundation of a Bill; but the proposals of the hon. Baronet were not among these.

SIR WILFRID LAWSON said, it might not be in his concluding recommendations, but it was in the body of his Paper. He might mention further that the place in question was as unfavourable a one as could be found for trying the experiment of enforcing prohibition, for it was inhabited by a class of people known as "Glasgow Irish," not the most reputable class, and possessed with an inordinate love of intoxicating liquors. In addition to that, the case to which the Home Secretary referred was one in which a single individual had sought to enforce prohibition; but he, on the other hand, sought only to prohibit the sale in cases where the majority of the ratepayers in a district were in favour of prohibition: in saying that, he would challenge the right hon. Gentleman or the hon. Member for Leeds to bring forward any more instances of failure of prohibition, and for every one so brought forward, he would bring 20 instances of success. He did not propose to alter the existing machinery of licensing; he left that to hon. Gentlemen who had given attention to the question, and who believed in the principle of licensing, which he, for one, did not, and all he would say with regard to this branch of the subject was, that he would always support any Licensing Bill, the tendency of which was to increase the restrictions on the sale of intoxicating drinks. He might observe, however, that the Home Secretary had himself stated that the existence of Licensing Boards, resulting in the power being in the hands of the ratepayers, was likely to result in jobbery. He was much struck with the objection raised by Mr. Robertson Gladstone, of Liverpool, against free trade in licences —namely, that it would result in the nuisance of publichouses being planted in the immediate neighbourhood of the residences occupied by the upper classes. Now, that was the whole tendency of a Licensing Bill—to keep the publichouses from the rich men, and set them down among the poor, and the working men. If that were so, let them place the licensing power in the hands of the poorer classes, and then an immediate outcry for a Permissive Bill would be raised among the upper classes, in order to save themselves from the nuisance to which Mr. Robertson Gladstone referred. The rich man could at present relieve himself from the disagreeableness of having to live near a publichouse by moving his residence, as a friend of his own had done; but the poor man, who must live close to the place of his daily work, could not do that. The magistrates, in granting licences, had three duties to perform: they had to consider (1) the character of the applicant; (2) the accommodation his house afforded; and (3) the wants of the neighbourhood. With the first two of these he did not propose to deal, but he wished simply to deprive the licensing body of the power they possessed in the third, to thrust publichouses upon unwilling neighbourhoods. That was the whole principle of his Bill; it was that, and nothing else. He would now say a word as to one of the details of his Bill. He proposed that in cases where a poll was taken, and two-thirds of the voters in a district failed to pronounce in favour of prohibition, the question might be raised again at the end of a year; but where the decision was in favour of prohibition, he would not allow another vote to be taken on the same issue for three years, in order that the experiment might be fairly tried. For the life of him he could not see why Parliament should object to that measure. It had already passed Permissive Bills in regard to health, cleanliness, and education of the people, but refused to extend the experiment to the question of drunkenness, which was at the root of most of the evils with which the law had to deal. Why could they not trust the working man? Many of the colonies had done so, and what was the objection here? Our whole demand is that you should not allow any body of men, especially irresponsible men, to thrust drinking places upon the people against their will. It might be said that if that Bill passed a large and profitable interest would be affected—namely, those who got their living by the sale of beer; but he did not think anyone in that House would defend the system on that ground. The main reason urged against the principle of his Bill was that it would interfere unduly with the liberty of a minority of the people; but this would be far transcended by the infinite advantage of removing the temptation to drunkenness out of the way of the large body of the people. A statesman of the present day had, in one of the best speeches ever delivered in favour of the permissive principle, strongly maintained the principle of appealing to the ratepayers on matters affecting their interests, and urged that if this were done in regard to the sale of intoxicating drinks, it would tend to create in the minds of the lower classes—

> "A strong public opinion; they would at once create among them that sort of feeling which among the upper classes of society had long made drunkenness disgraceful, which was rapidly also making it disgraceful among the working classes themselves, and which no longer permitted them to call a mere sot a good fellow, or to look upon the offence of drunkenness as merely venial. He was satisfied, therefore, that if they were to create a wholesome and vigorous public opinion on that subject, they must give the ratepayers of the country some direct interest in it, and that the wider spread that interest was, the greater would be the social advantage."

That statesman was the right hon. Gentleman the Home Secretary, who opposed the Bill now before the House. On each of the four occasions when he (Sir Wilfrid Lawson) had brought this Bill before the House he had been met with the same answer — that the advancing education of the people would put everything to rights. On the last occasion it was added to the previous statement that Government were about to bring in a Bill which would have the desired effect, and, at the same time, conciliate all moderate men on both sides of the question. The result of this was the Licensing Bill, which, so far from attaining its object, had to be withdrawn; and, so far from conciliating everybody, procured for its author abuse from all sides, and from publicans the title of "Bruce the Communist," among many others of an equally complimentary character. He now came to the question of education; and he quite agreed, and indeed he would be the last man in the world to dispute the assertion that education would have an immense influence upon drinking, for if people learnt not to drink too much, the object was gained. But it was self-control which had to be learnt; and he doubted if primary education was likely to give self-control, for it seemed to him as though some of the school boards required a little self-control themselves. Education, however, might make a change in time, by increasing the resources of the people; but it must be slow. Let your education be as good as it would, it must take years before children grew up, and when they got to that period—when they got all educated not to drink, they would not want a Permissive Bill. The people would be good and virtuous without it; he did not even know they would require a House of Commons; but until that time came they ought to remove temptation, and, as the Home Secretary had said, the working classes were united in calling upon Parliament to deliver them from temptation. It was on their behalf that he brought in that Bill—not to prevent them from running into temptation, but for the purpose of preventing temptation being thrust upon them. He would be sorry if it were supposed for a moment that he was opposing any and every scheme for improving the licensing system. He only said that his Bill, poor and incomplete though it was, would enable perhaps the people of a few places here and there, where drunkenness existed, to get clear of the evil; and it did seem hard that the people of a few country places where they were ready for it—for the Bill might possibly have no immediate application or effect in London, Manchester, Leeds, and other such places—should not be allowed the privilege of putting the measure in force. Although he did not, as a rule, attach too much value to them, he was glad to find that the Petitions in support of his Bill were very numerous indeed. Last year his hon. Friend the Member for Leeds (Mr. Wheelhouse) threw a great slur upon them, and he (Sir Wilfrid Lawson) dared say he did not now think the Petitions of the licensed victuallers of much value. In the year 1864, Petitions were presented to Parliament in favour of the Permissive Prohibitory Bill signed by nealy 500,000 persons; in 1869, the Petitions in the same behalf bore 800,000 signatures; and in 1870, when we had a very short time to work, 280,000 persons petitioned in favour of the measure. He did not know what they had got this year; but it was a fact that altogether upwards of 3,000 Petitions had been presented already. It seemed to him that the country really was weary of its growing and increasing pauperism; and the people must be astonished when they saw hon. Gentlemen of the greatest ability and energy on both sides of the House sitting up until the small hours in the morning, ably discussing how paupers were to be maintained, simply shifting the burden from the shoulders of one to those of another, and doing absolutely nothing to check the cause of all their trouble. The Licensing Bill had been withdrawn—he did not think there was much chance of the second Bill that had been promised —and, therefore, it was a question between his Bill, imperfect as it was, or nothing; and he warned the Home Secretary that if he opposed the Bill before the House he would be regarded as almost the greatest opponent of reform in the present Session. Very likely he (Sir Wilfrid Lawson) would be left that day in a small minority; but if hon. Members looked at the history of the movement they would see that it had advanced steadily though slowly through ridicule, misrepresentation, and abuse to its present position. The other day he had the great astisfaction of reading in the leading journal of this country an expression of opinion that those who supported the principle of his Bill were substantially in the right. And this expression came at the end of a series of articles more telling, convincing, and able in favour of prohibition than any he had ever seen in this country. He would now point out some of the minor advantages to be derived from passing this Bill to the fact that hon. Members would be spared the annoyance of receiving and presenting Petitions, of meeting deputations of their constituents, or having to account from the hustings for their vote in opposition to the measure; the Home Secretary would be spared the presence of the deputations who occasionally waited upon and bullied him at his Office; and the House generally would be spared the agony of having to listen periodically to his tiresome speech. And in addition to these, those who opposed the Bill might possibly have the satisfaction of seeing the Act fail, as they had many a time predicted it would. Whatever might be the present result, however, the ultimate termination of the controversy was certain, and he, pleading on behalf of the poor and wretched, asked hon. Members of that, the first Household Suffrage Parliament, to pass this Bill quietly, and so bring innumerable blessings on the class which had elected them, instead of leaving the question to be settled in some hustings' fight, amid the heated tumult of party strife. It was because he believed that the Bill would go some length in removing the evils of which he had spoken that he now very respectfully presented it to the notice of the House. In conclusion, he begged to move that the Bill be now read a second time.

LORD CLAUD HAMILTON seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Wilfrid Lawson.*)

MR. WHEELHOUSE moved, as an Amendment, that the Bill be read a second time that day six months. The hon. Baronet said that the people would have their way. He quite agreed with that; but if the hon. Baronet supposed that the "way" of the people of the country was in favour of passing this Bill, he was much mistaken. When the hon. Baronet said that the Bill came from the wretched, the poor, and the destitute, he (Mr. Wheelhouse) admitted that there might be some wretched, and poor, and destitute who preferred the Permissive Prohibitory Bill; but was the House to legislate for that section of the poor, and the wretched, and the destitute, and for no other, for that was practically what his hon. Friend desired? Was it to be supposed that the people of this country, polled man for man throughout the length and breadth of the land, would say that they were, as a body, prepared to give up, in matters appertaining to their domestic and personal habits, to the majority of any parish or township? He was one of those who detested permissive legislation. He believed it was bad from beginning to end. Where legislation was good for the country the responsibility ought to be in the hands of the House of Commons, and it was not right to leave it to small bodies about the country to say that a man should not drink a glass of beer or a glass of wine if he liked. With regard to the question of Petitions, he would just say that he attached more importance to the Petitions of those who had, unsolicited, opposed the Licensing Bill, than to the Petitions in favour of the present measure, which had been got up by a powerful society, with ramifications spreading over the whole country. It was also worthy of remark that he had only that morning received a Petition against the Bill from Saltaire, a place the example of which the hon. Baronet quoted in support of the second reading of his Bill. He knew nothing of that other district in Ireland which had been mentioned; but he knew something of a district in the neighbourhood of Carlisle which was not a perfect Arcadia. The villagers there resident might have to go a long way for their drink, but they did go, and, although the hon. Member for Carlisle might be kept in ignorance of what was done in this respect, drink was obtained in that district; and it would be obtained in other districts, even if the law were as the hon. Member would have it, for it would be sold illicitly. He imagined an attempt in his own parish, 22 miles long by 2½ broad, to render the compulsory clauses operative; and suggested that 10 earnest teetotallers might meet in a small room in a secluded part of the parish, and prohibit the sale of liquors throughout the whole district of 50 square miles in extent, and inhabited by 30,000 people. That was neither just nor sensible. He next deprecated the measures taken by the promoters of the Bill to excite the public in its favour, and especially condemned the publication of a blasphemous parody on the Lord's Prayer, entitled "The Publican's Prayer," which had been placarded all over Bradford. [The hon. Member exhibited the placard, and was met by cries of "Read," but said he would rather not unless it was the wish of the House. On the cries of "Read" being renewed, he read the first sentence, "Our father which art in hell," and stated that the whole of the prayer was parodied in like manner.] When such expedients as these were used by the promoters of the Bill—["No, no,"]—he argued that their case must be indeed bad. In reply to those who cried "No," he said that it was not only a fact that the Bill was placarded all over Bradford, but that he knew who had caused it to be put there. ["Name!"] He declined to name the person; the matter was in the hands of the justices. Let the hon. Baronet the Member for Carlisle and the hon. Member for Leeds take the matter in hand and urge the justices to take action. Some persons were so earnest in their support of a measure as to be indiscreet, and others, though not indiscreet themselves, supported those who were, or, at least, were not loth to profit by the proceedings of their indiscreet companions. There was another matter. The House had been told that pauperism grew, and that this was to be attributed wholly and entirely to drink; but he apprehended that the result might be as well attributed to policy. Other things than drink produced pauperism and crime. But if drink alone produced pauperism and crime, were they to say that in the whole parish those who were neither paupers nor criminals should be prohibited from having a glass of beer? Who were the hon Members who would say to him—"You shall not have your glass of beer?" He did not himself drink much; but he felt strongly inclined to resist any attempt that might be made by anyone to prohibit by domestic legislation his eating, his drinking, or his dressing. What would be thought of a sumptuary law prohibiting the eating of beef? He might be told that a great deal of mischief attended the drinking of beer, which did not follow the eating of beef. The hon. Baronet the Member for Carlisle thought the drinking of beer baneful. [Sir WILFRID LAWSON: I did not say it was painful.] He would express a hope that hon. Members who were anxious to prohibit drinking would begin by abstaining from their beer and their wine themselves. Let them shut up the clubs in Pall Mall, and let them close their own cellars, and not commence by closing the publichouses, which were, in fact, the clubs of the working men. They had been told that in a large portion of America the Maine Liquor Law had been extremely successful. But the House must recollect that this was not a Permissive Bill. Had this Bill worked well? In what position did it stand at this moment? In how many of the States of America was there a Permissive Prohibitory Bill? Some hon. Members, he admitted, were genuine teetotallers; but they were precious few and far between, and he asked whether the practice of individual Members was not a very good idea of the state of feeling throughout the country on this subject? He ventured to say that, if the first 20 men one would meet between the House and Charing Cross were asked whether they would have the sale of liquor stopped, they would all answer "No" in a most emphatic manner. [Sir WILFRID LAWSON: Hear!] If that was the hon. Member's opinion, on what grounds did he press for his measure? He assured him that if he polled the men throughout any of those districts whence favourable Petitions had come, he would find those Petitions absolutely worthless as an index of public opinion. It had always been an incomprehensible thing to him how it came to pass that the House of Commons would not let people alone, but was always imagining that somebody wanted legislating for. Believing that this measure at least was not wanted by the country, that it must remain a dead letter if passed, and that it was unjustifiable on every principle of legislation which had guided the House hitherto, he would move that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Wheelhouse.*)

LORD CLAUD HAMILTON contended that this was a measure which was very much wanted. The hon. Gentleman who had just sat down (Mr. Wheelhouse) had told them that he feared that much greater evils than now existed would ensue if this Bill passed, inasmuch as beer would be sold surreptitiously in various parts of the country. Such might be a possible result; but by raising that objection the hon. Member acknowledged that the main evil which the Bill attempted to grapple with would be effectually secured. Then the hon. Member showed that the Bill would possibly be brought into operation by small packed meetings; but the notion was perfectly ludicrous, for every publicity must be given before the Motion was submitted to the ratepayers. Where the permissive system had been allowed fair play it had worked extremely well; for instance, in the county of Tyrone, which he had the honour to represent, there was a district containing 10,000 inhabitants who had put themselves under the provisions of the Permissive Bill, and the result had been, first, the gradual extinction of every publichouse without any complaint of hardship, and then the removal of the police stations, morality and well-being had largely increased, no person had complained of any hardship, and there had been a remarkable decrease in the number of offences. The hon. Gentleman had also endeavoured to prove that the measure of the hon. Member for Carlisle was calculated to prohibit the use of beer. Now he was surprised that the hon. Member should have made such an insinuation, for he had admitted that drunkenness and pauperism were closely connected, but had stated that it was not his business to correct the evil. But the hon. Member, as a Member of the Legislature, ought to consider it his duty to endeavour to do his utmost to prevent drunkenness and pauperism. The amount spent in drink in 1869 was about £3 13*s.* per head or £112,000,000, whilst the amount spent on clothing was only 6*s.* per head; and in 1869, the number of paupers was 1,010,000; whilst in 1870, the number was 1,286,500, showing an increase of 271,500. The increase of pauperism had a close relation to the amount of money spent in drink, as was shown by the fact, that the increase of money spent in drink of late years had been in the ratio of 29 per cent, and the increase in pauperism had been 25 per cent, whilst the increase of poor and police rates had been 44 per cent. These were grave matters, which required the serious attention of the Legislature. With respect to the liquor law in America, Mr. M'Crae, who had written a work on the subject, stated that if the majority were not entirely in favour of the permissive principle legislation was useless; but where they were favourable to such legislation it had been attended with the best results. It had been stated that where the Maine Law was in force, all sorts of means were used to evade it; but no one could doubt that it tended to remove the temptation which was thrown in the way of those who desired to have such temptation removed. He was surprised at the attempt which had been made by the hon. and learned Member for Leeds (Mr. Wheelhouse) to connect the promoters of the present Bill with the blasphemous publication to which he had referred. Such an attempt was unworthy of the hon. Member, and nothing could be more indiscreet than the attempt to establish a connection between the parties who had issued that Bill and the friends of the permissive movement, and he was quite convinced that the hon. Member for Carlisle had nothing whatever to do with the publication. Since the withdrawal of the Licensing Bill of the Government, he (Lord Claud Hamilton) had received the most urgent requests from Ireland to support the Permissive Bill. It was admitted on all hands that great mischief and immorality had been caused by the prevalence of intoxication; but many of the parties making that admission had not made any proposition for curing the evils of which they complained. What had been the course pursued by the right hon. Gentleman the Home Secretary with regard to the licensing system? Three years ago the right hon. Gentleman admitted the best-conducted and most intelligent of the working classes were in favour of some legislation on the subject, and said that Parliament ought to assist them in their endeavour to cure the evil which existed, and last year the right hon. Gentleman pledged himself to deal with the subject, and promised the introduction of a measure at the earliest practicable period in the present Session. He stated that it would be well if effect were given to the public feeling, and that no pecuniary considerations ought to deter Parliament from legislating on the matter; and in his speech on the Licensing Bill, he summarized all the arguments in favour of legislation in the most able manner, and the right hon. Gentleman stated that all classes admitted the evils which arose from the use of intoxicating liquors. It was impossible for anyone to have used stronger arguments in favour of legislation on the subject, and it was a matter of regret that he did not appear to be able to see his way to provide any effective remedy. He could assure the House, with regard to Ireland, that no subject occupied the public mind to so great an extent, and even last year, when the land question was before the House, he received great numbers of letters on the subject. Now, when the public mind was so much occupied, and so many thousands of persons were praying for the adoption of some remedy for the evil which had been caused by legislation in relation to the Beer Acts, he considered it the duty of Parliament to remedy the evils which it had created.

Mr. PIM * said, he desired to mention that he had a Petition signed by 10,000 citizens of Dublin in favour of the Bill, but it was then, he understood, too late to present it. He agreed with the noble Lord the Member for Tyrone (Lord Claude Hamilton) as to the public feeling which existed in Ireland on the subject of the Bill. He had received many Petitions in its favour and a great number of letters urging him to do all he could to support it—

> "In order to accomplish the overthrow of an accursed traffic which caused more sin and misery among the Irish population than all other causes put together."

He might further mention that he had received a memorial some time since in favour of the Bill, signed by 3,200 electors, or about one-fourth of the whole constituency of Dublin; and a public meeting had lately been held there to express approval of its object, at which the chairman stated that nearly 3,000 persons of all ranks—but principally of the humbler classes, had attended, while a large number were unable to obtain admission. No doubt, Petitions in favour of the measure were got up through the instrumentality and organizations of societies. That was true; but it was equally true that these Petitions were signed with a hearty goodwill. Now, he brought these facts before the House to show the strong feeling which existed on this question in Ireland; and it was in consequence of that feeling that he considered himself bound to show substantial reason why he could not support the measure. He yielded to no one in his desire to see the evil of drunkenness diminished, and he fully agreed with the promoters of this measure as to the necessity for lessening the number of public houses, in the hope of lessening that consumption of intoxicating liquors which prevailed so injuriously among all classes of the community, but more especially among the poorer classes. The Bill was an attempt to meet this great evil, and, therefore, as he agreed with its object, and as he felt that the subject was one which imperatively called for the attention of the House, he had never voted against it, and he would not do so on this occasion either; still, he could not vote for it, for the reasons which he would now state to the House. The main principle of the Bill was to give control to the ratepayers, and with that principle he agreed to a large extent. He thought it would be right to give a control to the ratepayers as well as to the licensing justices. In his judgment, no man ought to be entitled to set up a publichouse close to another man's house without the latter having some power either to approve or to disapprove of its establishment. In London he had certainly seen publichouses close beside noblemen's mansions; but in Ireland they were not considered such agreeable neighbours; and if one was about to be to set up near to a mansion of that class the owner would use a great deal of influence to prevent the licence being granted, and when he went the right way to work he was generally successful. The poor man ought to possess the same control. The Bill, however, proposed to do a great deal more in a way of control, and it was because of the unlimited power which it would confer, that he felt compelled to refuse his support to the measure. He objected to the Bill in the first place, because he considered it to be essentially unjust. Those who possessed licences for years had a vested interest in the trade for which those licences were granted; and he objected to give to any majority of ratepayers the power to put them out of business and deprive them of their vested interests, without giving them fair and adequate compensation. In the second place, he regarded the Bill as utterly inefficient for the object it was proposed to effect. It was only in those places where it was least required that it had any chance of being put into operation. In those places where legislation was most required it would not be acted upon at all; and there things would remain in the same condition as they are now. What was really required was better supervision and control on the part of the authorities, as well as a large diminution of the number of publichouses. But even supposing that the Bill should prove effective, he maintained that this was not a matter in which the majority had a right to rule the minority. It would be a dangerous power to give to a majority, even of two-thirds of the ratepayers. America had been pointed to as a precedent; but in that country power was in many cases possessed by the majority, which he hoped never would be vested in the hands of a majority in England. The power of the majority ruling the minority in a good cause might be used as a very dangerous precedent, when the object proposed to be achieved was not so good. The Bill gave no power to lessen the number of houses at which strong drink was sold, except by shutting them up altogether. Where it would not work completely it would do nothing. It would leave the present houses undiminished in number, and unregulated as at present. There was no closing on Sundays, no shortening of the hours on other days of the week. Was that what was really wanted? But the Bill proposed, where it did come into operation, to stop all trade. It interfered not only with the trade of licensed retail houses, but it went much further. It interfered not merely with ordinary publichouses, where liquor was sold for consumption on the premises, but with the wholesale trade, and with the retail sale of liquor under cork or seal, where there had not previously existed any supervision beyond that which was necessary for the purposes of excise or revenue. He asked, in all seriousness, could Parliament think of passing such a law as would in a large town or city, like the City of London, for instance, impede the free action of all wholesale and retail traders? That, in his opinion, would be a most dangerous measure, and one which the House was not likely to agree to. It was admitted by the supporters of the Bill that it would be inoperative in large towns, so that they were practically ask to legislate only in respect of rural and suburban districts. Now, suppose it was brought into operation in such districts. He would take the case of Dublin. If the system of prohibition were to be carried out in the suburbs of that city, the result would be that those who lived in the outskirts and wished to get strong drink would go into the city for it. This would increase the drinking in each of the large towns, and any increase of immorality in the large towns and cities must re-act most injuriously on the country. There were those who denied that any legislation on this subject was required—who said that men could not be made either sober religious by Act of Parliament. No doubt that was the case, but it was possible to promote immorality by Acts of Parliament; and he maintained that much of the legislation on this subject had had that effect, and it was necessary now, for the welfare of the community, to amend this legislation. He had already said that he thought there was no probability of the Bill being carried into operation extensively; but the attempt to do so would produce much confusion, and would give rise to local contests, constantly renewed, producing irritation and ill-feeling. This, and the systematic evasion of the law, which would certainly ensue, would neutralize the benefits expected from the Bill. He had been strongly pressed to vote for this Bill, not only by some of his constituents, but also by his own family connections, and by many whom he esteemed very highly, and whose views and opinions had much weight with him. It was painful to him to find that he could not act in conformity with their wishes. He thoroughly sympathized with the object which the Bill was intended to effect, and therefore he would not give a vote against the second reading; but he could not support a measure which he considered unjust and unconstitutional, and which he believed would, if it became law, prove wholly inefficient.

Sir HENRY SELWIN-IBBETSON said, he had always before this abstained from voting on the measure of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), from the feeling that so long as there was no attempt to grapple with the licensing system as a whole, any measure attempting to deal with acknowledged evils ought to be considered carefully by that House; but they were now on a different footing, for in the Licensing Bill of the Government they had an attempt, for the first time, to deal with the whole system of our licensing laws, and though that Bill had been withdrawn, yet they knew from the position of those laws, and the disturbed state of the trade caused by the uncertainty which existed as to what future legislation might be, that next Session must see, either from the Government or some private Member, a final settlement of this question. He deprecated, therefore, seeing a Bill of the ort now before the House pass, which would fetter the action of the House by laying down a particular principle on which that licensing measure must be founded, before the measure was before them; more especially as the means proposed to effect the object aimed at were wholly unfitted for the purpose. The complaints of the public regarding the present licensing system were two-fold: first, as to the amount of drunkenness and consequent crime; and, secondly, that the present action of the police force in boroughs did not always properly carry out any licensing system which existed. On the other side, they must not shut their eyes to the complaints of the trade against the unequal action of the magisterial authority, in the Courts of Petty Sessions throughout the country, and the partial administration of the law in many instances by the police themselves. All these were points deserving careful consideration before any measure on the subject could be passed so as to give satisfaction to the country; and he must say that the Bill of the hon. Member for Carlisle did not do away with any one of these complaints. One of the great objections to it was, that in one of its provisions, giving power to the majority, in certain cases, of the ratepayers of a district to close all the publichouses within the area, it dealt only with those parts of the community which were good, whilst, where the majority consisted of bad men who refused to apply the principle of the Bill, it did not deal with them at all. They should begin with the parts of the community which they had most to complain of. He further objected to it, because it would take them out of the legitimate course of dealing with questions of this kind, and they would be legislating to restrict those who carried out the laws properly, because a minority were helplessly unable to restrain themselves; and besides, wherever great restrictive powers of this kind were given, they generally found they were thereby creating inducements to violate the law. The moment the power of regulating the drinking customs was overstrained and rendered oppressive he feared smuggling would be produced, and that the large evasions of the law which would be brought about would be very difficult to correct. And that conviction was strengthened by a fact which had come to his knowledge within the last few weeks, and which had arisen from the attempt of Government to deal with the question of the licensing system. There had arisen—and he grieved to say it, because it might be used as a great instrument against those who were doing their very best to legislate in this matter—what were called, and what were very valuable in themselves, when not used for purposes of evasion, workmen's clubs, which were being largely established in some towns. They were started by publicans, who had been refused a licence, with small subscriptions given by working men, and for these there were no police regulations, and the hours were unlimited, while drinking could be carried on at any hour during all the days of the week, including Sundays. If these should increase rapidly, the fact was one well worthy of consideration when dealing with violent restrictive measures like that proposed by the hon. Member for Carlisle. Again, looking at the clauses of the Bill, he thought that Clause 9, giving power to the ratepayers to create a district where licences should not exist for three years, would involve great difficulty in the carrying of it out. He did not think anyone could contemplate with satisfaction the continual disturbances and animosities which the proposed restrictive power would create, for not only would there be disturbances, and constant canvassing to get the power introduced, but when it became law in any district it was open to the majority at a future time to reverse the decision, and to declare that licences should be again granted. Now, his desire was to eradicate houses which were not well conducted; but if they created houses which were allowed to exist for one year and which were abolished the next, they would be creating houses which would not have any capital invested in them, and which could not come under the restrictions as to rateable value they should like to see applied to houses of this kind generally. A Bill of this sort sinned, therefore, very gravely against the trade throughout the country, because it would keep the trade in a constant state of agitation in every district; whereas in dealing with a question of this kind, which involved Imperial interests, Parliament would only be justified in introducing a comprehensive measure which would put it to rest for some time to come. There were some parts of the late Government Bill of which he approved, such, for instance, as those by which it was proposed to raise the rateable value of the houses in which intoxicating liquors were sold, and to revise the police regulations, for it was of the greatest importance that the number of licensed houses throughout the country should be reduced by degrees. The hon. Baronet the Member for Carlisle had stated that since 1869—the year in which the Wine and Beerhouse Act was passed—there had been an increase of convictions for drunkenness in large towns. From inquiries which he (Sir Henry Selwin-Ibbetson) had made into the working of that Act, he found that this might be accounted for by the fact that its effect was to put bad houses down; their customers were thus driven to better localities, the inhabitants of which would not tolerate drunkenness; and the police were forced to effect a greater number of arrests than before. In many places the diminution of drunkenness since 1869 was remarkable. According to the police returns, it appeared that in 1869 and 1870, out of 61,893 publichouses, 3,152 were convicted, or 1 in every 19½; and out of 46,298 beerhouses 6,371 were convicted, or 1 in every 7½; but in 1870 and 1871, out of 62,587 publichouses 2,736 were convicted, or 1 in every 22; and out of 43,645 beerhouses, 3,336 were convicted, or 1 in every 13. Colonel Cobbe, the Inspector of the Eastern and Midland Division for 1871, said, that many of the reports showed that the Beerhouse Act had been, and is likely to be very beneficial in its effects. The police were of opinion that its influence had tended in some places to lessen crime; in others, several houses of doubtful repute had been suppressed, and the beerhouses had been better conducted. Colonel Cobbe was so forcibly struck by the sudden decrease of crime in Luton, as shown by the books, that when informed by the intelligent superintendent that he attributed it to the operation of the Beerhouse Act, he asked for particulars of information, which were given in the following note:—

"Return of the number of beerhouses, together with the number of felonies committed in the town of Luton, with a population by Census of 1861 of 17,800 (and at the present time of nearly double that number) for seven months, in the years 1867, 1868, 1869, and 1870:—Beerhouses.—On April 30, 1867, 52; ditto, 1868, 55; ditto, 1869, 49; ditto, 1870, 39. Felonies.—From October, 1866, to April, 1867, 55; ditto, 1867, to ditto, 1868, 61; ditto, 1868, to ditto, 1869, 62; ditto, 1869, to ditto, 1870, 18. Other offences have decreased in the like proportion."

The following is the report of Mr. W. P. Elgee, Inspector, Northern Division, Inspection for 1871:—

> "In the course of my inspection I found a very general opinion entertained as to the satisfactory working of the Beerhouse Act. It was stated that since its passing, the licensed houses, the beerhouses especially, had been conducted in a more orderly manner than before, and a marked improvement had taken place in the state of the streets at night, and particularly on Sunday mornings."

As to Manchester, Chief Constable Palin reported that there was a decrease in the number of persons proceeded against for drunkenness this year amounting to 327, from a total of 9,503, and, considering that for the previous five years the number increased at the rate of about 20 per cent per annum, the decrease, though slight, was remarkable. The noble Lord (Lord Claud Hamilton), in seconding the Motion for the second reading, had said that the Maine Liquor Law had failed where coercion was attempted; if so, it was a strong argument against that Bill, which, if it were anything at all, was a coercive measure. The hon. Baronet contended that the efforts to diminish drunkenness should be gradual and well considered; but he (Sir Henry Selwin-Ibbetson) believed that this Bill would lead to constant strife and division, and that a Bill which would proceed not aggressively, but with a view gradually to improve and raise the standard of the licensed houses by police regulations, and by a limitation of the hours, so that the licensing system might be more orderly and respectable, would do more good than any violent attempt to interfere with the liberty of the great mass of the people of this country. For that reason, although he did not yield to anybody in his desire to suppress the evils of drunkenness, he was unable to support the Bill of the hon. Baronet.

Mr. LOCKE said, that at his first election for the borough of Southwark he had the honour of receiving a deputation from some of his constituents on the subject of the Permissive Bill, and on perusing it he did not hesitate to tell them that, in his opinion, it was a most ridiculous Bill. The eloquence and energy of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) had since been enlisted in its favour, and that hon. Baronet now told the House that the Bill, if passed, would have no effect whatever. [Sir Wilfrid Lawson: What I said was, that the Bill might possibly have no effect.] Then he wished to know why the hon. Baronet should come down to the House to torture hon. Members, year after year, with this Bill? Why should he deem it necessary to come down there to torture, for example, the senior Member for Dublin (Mr. Pim), and other Members who could not make up their minds on which side they should vote in order to please both sides of their constituents, and who ultimately resolved, perhaps, not to vote at all? That was a very uncomfortable state of things, and he should, therefore, ask the hon. Baronet to give up this practice of coming down annually to the House with a measure that was certain to make such hon. Members miserable—and, moreover, a measure which he admitted could possibly have no effect. If any hon. Member had seriously considered the very first clause of the Bill, he must see that it could not possibly have any effect, at all events in this Metropolis or the other large towns of this kingdom; and as this Metropolis represented some 3,000,000 of souls, that, surely, was a fact worthy of consideration in a measure which professed to be one for the good of the whole country. It could not be operative within any borough of the Metropolis. It might just possibly come into effect in some metropolitan parish; but then what would be the effect of it if it did shut the publichouses in such particular parish? Why the only effect would be to send all the people who wanted to drink into the adjoining parishes, creating, in consequence, the utmost inconvenience, confusion, and annoyance. It was much to be regretted that the Home Secretary had not introduced a measure which might have decided the great question at issue. He concurred in the views expressed by the hon. Member for Essex (Sir Henry Selwin-Ibbetson) that it was only by encouraging well-regulated houses that they could hope gradually to make an improvement in the system. What was the evidence given in respect to the closing of publichouses on Sunday in Glasgow? Why, that drunkenness had increased to a great extent, and that persons resorted to secret places where they could drink all day, without check or hindrance. Did the hon. Baronet suppose that if he carried his measure people would not drink at all? Of course they would; and he would recommend the hon. Baronet to recall to his recollection the old phrase—*sic utere tuo ut alienum non lœdas.* They would, if driven to it by this measure, or some similar one, establish—and they were at present actually establishing—clubs, and one case had been brought within his knowledge in which a person who had been refused a licence was now the manager of a club carried on in the very same house which was frequented by hundreds of members and visitors as members' friends, without any restriction as to days or hours. The supporters of this Bill would perhaps say they would put them down. [Mr. MUNDELLA: No, no!] Well, then, they were to remain up, and if they were to remain up, what was to prevent their becoming, in the face of the Permissive Bill, the most gigantic publichouses ever seen on the face of the earth? That was, he supposed, to be one of the beneficial points of the legislation of the new Member for Sheffield, who was so anxious to set them all right on everything; but he would recommend the hon. Gentleman, and those who supported the measure, to look a little before they spoke, and not ask Parliament on this question to jump from the frying-pan into the fire. He entertained the same opinion now that he did when the Bill was proposed 14 years ago—that it was a most ridiculous and would prove a most unworkable Bill. He wished that as many Members as possible would vote on that occasion in order to show its promoters how the land really lay; and he trusted that there would be such an expression of opinion on the subject as would have the effect of deterring the hon. Baronet from troubling the House again.

MR. CADOGAN said, his constituents took a prominent and very decided position in the discussion of this question, and, in accordance with their opinion on the subject, the vote which he was going to give in favour of the Bill, was one, he confessed, he would give with considerable reluctance; but a large body of his constituents were working men receiving good wages, who earnestly prayed to be relieved from the incubus of this temptation to drunkenness. He would vote for the Bill, as he said, with great reluctance, because he believed that it would prove inoperative; and because the Bill was deficient in the means of obtaining the opinion of the ratepayers, and was particularly so in not providing a proper machinery for compensation to houses suppressed under its enactment. He most cordially concurred in the principle of the Bill, and it was that principle which he wished to recognize in the giving of his vote, for those houses against which this Bill was aimed were the canker-worm and festering sore of this country. The action of the licensed victuallers, and the pressure which they had brought to bear upon Her Majesty's Ministers in reference to this question, struck him as not being free from reproach. They had no right to fight their battles by means which they should be ashamed to recognize in that House; for instance, a certain pamphlet published recently on the Licensing Bill of the Government bore a strong family likeness to the opinions expressed by the hon. Member for Leeds (Mr. Baines). In that pamphlet it was said—"It is the right of a Government to restrain crime, but it was not the function of the Government to control vice." Now, if it were not the function of the Government to control vice, where, he asked, was legislation to begin, and where was it to end? It appeared to him that they were bound to restrain vice in every possible way; and Parliament ought not to leave the industrious classes exposed to the despotism of a tyrant trade like that of the licensed victuallers. When people saw that incomes of more than £100,000 a-year were realized by brewers, the natural conclusion was that this could be done only by an undue consumption of liquor, and therefore they asked that by some mechanism or other they should have a control over the amount of drink that might be consumed in each district.

MR. T. E. SMITH said, America had been frequently referred to in the course of this debate, and as he had been in that country last year he might say a few words with regard to it. Several States in America had adopted liquor laws that differed very materially. As to the State of Massachusetts, he did not deny that there was considerable evasion of the law in that State; but it was evasion of the most open character. He had never been asked to "kiss a baby" or to "look at a striped pig;" but when anyone went into the bar, he would see a notice that no liquor was to be sold, and when he gave his money to a man on one side of the bar, a man on the other side would give him his drink. But in the small towns of Massachusetts, such as Lowell and Worcester, a very different state of things existed; for publichouses did not exist at all, and the working classes, and especially Irish labourers, who received from 20*s.* to 25*s.* per week in wages, lived in better houses than those inhabited by English artizans; their wives were well-dressed, their children well-fed and cared for, and their gaols all but empty, pauperism and crime having diminished to the lowest point. There could be no doubt that drunkenness was increasing in this country; for though the number of teetotallers had very much swelled of late years, the consumption of intoxicating liquors had also increased to a very large extent. As to the objection urged against this measure, that it would give effect to the tyranny of the majority, it should be borne in mind that all legislation was based on that principle. He hoped the second reading of the Bill would be agreed to, and that the House would show its readiness to assist the sober, steady, and self-controlled portion of the working classes in removing the evil of drunkenness from the country.

Viscount SANDON said, the hon. Member for Cricklade (Mr. Cadogan), and other advocates of the Bill, had so shifted their ground that it was not very clear what part of the measure they supported. Every Member of that House felt deeply the misery which was brought on the country by the present state of things; but the real point of difference was as to the means which should be adopted to grapple with the evil, and he would appeal to hon. Members to put aside all by-views attempted to be instilled into them by the great agitation of the last fortnight; the question was much too solemn for any such influences. There was scarcely an hon. Member that had not had the strongest appeals made to him on the subject, but the Bill ought to be judged on its own merits; and on them, he confessed, he felt several objections to the measure; for instance, take a town of 30,000 inhabitants, and on what grounds of justice could 10,000 of those inhabitants be deprived of the use of intoxicating drinks at the will of the other 20,000? Then was it just that no compensation should be allowed for the houses that might be closed by two-thirds of the ratepayers? No good could come from a measure stamped by such injustice. More than that, was it wise to lay the foundation in each town or parish throughout the country of a system of agitation which would probably tend more than anything else to separate class from class; the ministers of religion, the zealous philanthropists, and a small band of operatives being on one side, and the great body of the working classes on the other. Finally, it was a matter of the greatest importance that the holders of publichouses should be men of high character and respectability. He had known many publicans who had done more to put down drunkenness than half the philanthropists with whom he was acquainted. Now, were they likely to get men of character to conduct publichouses for the future if liable to be turned out every year? It would be quite otherwise, and they would find the trade handed over to men of straw. From the experience he had picked up in Scotland and elsewhere, he believed that by such a Bill as this, secret drinking would be seriously increased, and if the number of houses for secret drinking was multiplied and the law systematically evaded, nothing could tend more to demoralize the national character. Before sitting down, he must say that every friend of the working classes must feel greatly indebted to the Home Secretary for having attempted to deal with the liquor trade in a comprehensive spirit; but here he must stop, because he believed the right hon. Gentleman, by withdrawing the Bill at an unfortunate moment, had most unwillingly done a serious injury to those who were trying to settle the question. Many on that (the Conservative) side were willing to assist the Government in passing a good sound measure, and with that object had resisted great pressure from influential quarters; but that unlucky 10 years' clause made it hopeless to try to carry the Bill. He regretted that the right hon. Gentleman, having abandoned the

10 years' clause, had not come forward resolutely and said that he would proceed with the Bill. Had he done so, there was no doubt that hon. Members would have given many a Morning Sitting to settle so important a question. There was one suggestion which he would make to the right hon. Gentleman, and that was whether it would not be well to introduce a Suspensory Bill, to forbid the granting of any further licences, for every fresh licence meant fresh compensation. It would be no hardship to anybody to introduce such a Bill, and thereby a pledge would be given, both to the Permissive Bill organization and to the country, that the Government would next year deal with this grave, solemn, and important question.

MR. B. SAMUELSON said, he wished to explain why he should support this Bill now, notwithstanding that he had opposed it on previous occasions. The fact was that the Home Secretary had placed him in a dilemma by withdrawing the Government Licensing Bill without offering any assurance that the principle of placing some amount of control in the hands of the ratepayers would be carried out in the partial measure which he proposed to substitute. Now, that principle was carried out in the Bill of the hon. Baronet, and he was prepared to give it his hearty support. Considering that Parliament had been told by the Government that it was impossible to leave the licensing power in the hands of the magistrates, and that in some districts of the country there was a publichouse for every 60 inhabitants, or for every 12 bread winners, he could not allow such a state of inaction on the part of the Government to continue without offering a protest against it, and he should offer that protest by recording his vote in favour of this Bill. At the same time, he did not think the Bill, as it stood, was practicable, or was supported in its details by any one of the hon. Members whose names appeared on the back of it, except the hon. Baronet who moved its adoption.

SIR DOMINIC CORRIGAN said, he opposed the Bill, which was a better course than not voting at all, and if his conduct did not please either side, he should, at all events, have the satisfaction of pleasing himself. He was as anxious as anyone to promote the cause of temperance, but he did not think this Bill would have any good effect in that direction; indeed, it was more likely to have a contrary effect. If this Bill were passed, and the sale of intoxicating liquors forbidden in a particular parish, houses for selling them would start up just outside the boundaries. And what, then, would be the result? Why were Greenwich Fair, Donnybrook Fair, or St. Bartholemew's Fair abolished? Because they led to riotous scenes of drunkenness and dissipation, and such scenes would be likely to occur in this case. If the Bill could be applied at once to the whole country, which he should like to see, the case would be different, though even then he believed it would not be carried out, for coercion in matters of this kind never did and never would answer, and generally resulted in the growth of schemes tending to evasion and illicit trafficing. In China the sale of opium was prohibited under penalty of death, and yet the sale was general over the whole country.

MR. MUNDELLA said, some reference had been made to working men's clubs, and it had been said that if they unduly restricted the liberties of the working classes in the use of intoxicating drinks, these men would establish clubs where they might drink at all hours of the day and night. Now, he knew as much about working men's clubs as any hon. Member of that House. There were hundreds of these clubs scattered up and down the country, but only three of them were formed by publicans; and the working classes had as much right to form such clubs for their own purposes as the members of the Carlton or Reform Club had to associate themselves together. If working men formed clubs, they would not allow burglars, drunkards, or prostitutes to go into them; and, moreover, the rules of many of these clubs were most stringent. They were to be closed at 10 at night; if a man were drunk there he was to be expelled the club; he was fined if he swore; and the members would not allow minors to drink with them. The passing of the second reading of this measure would stimulate the Government themselves to bring in a Bill; and under which it was to be hoped that ratepayers would have the power to prevent the multiplication of publichouses. He denied, as mentioned by the hon. Member for Southwark (Mr. Locke), that drinking had increased in Scotland since publichouses had been closed on Sundays; and while in America last year, he had made inquiries into the working of the laws against the sale of liquor, and the result of his investigations had been to convince him of their beneficial effect. He was not in favour of the details of this Bill, because he did not think that permissive legislation worked well; and he should prefer that the House itself should decide upon what ought to be done. A good Licensing Bill would probably do all that was needed; but one reason why he should vote for the second reading of the Bill was because he wanted to let agitators outside know that hon. Members would not be tyrannized over by men who were interested in pandering to the vices of the people. The Bishop of Exeter said, that so long as there was no alternative measure he should support this Bill; and he should take the same course on this occasion, though his conviction was that the working men who were in favour of the Permissive Bill would be content with a veto upon the increase of publichouses, and the getting rid of late hours.

Mr. BRUCE said, that if the admitted magnitude of an evil would justify the House in supporting any measure designed to check it, there would be an unanimous vote in favour of the Bill. Every word he had ever uttered as to the magnitude of the evil he was now prepared to stand by, and every day's experience satisfied him that this was not only a great evil, but the greatest of all evils with which social reformers had to contend; and the House had now, however, to decide whether an efficacious remedy for the evil was now before them, and whether they were prepared to adopt the principle of this Bill. With all respect to those hon. Members who said that they would vote for it, though they disapproved its provisions, because they were hopeless of any other remedy, he was not prepared to endorse their views, or the views of other supporters of the Bill. Already the House, by their votes, had misled the public upon the subject, for of those hon. Members who had voted for the Bill on a previous occasion, he did not belief that one-half, one-third, or even one-fourth of them were really in favour of it. Now, he objected to a measure which, in what he might safely term a holy cause, diverted attention and strong feeling throughout the country from plans which were efficacious to those which were delusive; and the Permissive Bill was delusive, not only because it was a measure which Parliament never would pass, but because, if passed, it would, according to the estimates of its most sanguine promoters, be only partially applied, and thus leave untouched in the many places in which it was not adopted, all the evils—the pauperism, the misery, and the crime—which were traceable to the present state of our Licensing Laws. It was pitiable to see huge Petitions, signed by 40,000 or 50,000 confiding people, presented from Liverpool, Manchester, Glasgow, and other large towns in favour of the Bill, when nothing could be clearer than that, if approved by Parliament, it had not the slightest chance of adoption in any of those places. Perhaps it might be adopted in some districts in Wales, or in thinly-populated districts elsewhere; but did any person believe it would be adopted in any of the large centres of population, where the evils caused by excessive drinking were chiefly felt? Now, he earnestly desired that the House should treat this question in a manner likely to conduce to a really satisfactory solution. Hon. Members opposite had a perfect right to challenge the conduct of the Government in withdrawing the Licensing Bill; and for himself he confessed he could not overrate the disappointment and mortfication which that withdrawal had caused him. But the Government were driven, by the circumstances of the Session, to abandon some measures while they prosecuted others, the relative importance of which it was difficult to guage. The Government had undertaken to deal with certain subjects in a certain order, and some of the measures introduced had precedence of the Licensing Bill; and this being so, the Government had to consider what was possible, having reference to the period and the circumstances of the Session, and also to the fact that, perhaps through the fault of the Government or of the Minister charged with the Licensing Bill, it had excited such an amount of opposition that it could not possibly pass in what remained of the Session. The enemy of the Government in this matter was not only the inherent difficulty of the question, but time itself; and desirous as hon. Members on the Opposition bench no doubt were to remedy existing evils, it was still a fact that on the other side of the House no fewer than four Notices of Motions had been given, any one of which, if carried, would have been fatal to the Bill. It was, impossible, therefore, to persevere with the Bill, unless the Government had had a far longer time for its consideration than remained at their disposal. He deeply regretted the withdrawal of the measure, for there was no amount of personal labour and no sacrifice of personal ambition which he was not prepared to make for the successful prosecution of such a Bill, feeling as he did that upon it hung issues of the greatest importance to the welfare and morality of the people. His hon. Friend (Sir Wilfrid Lawson) had called on him to support the Permissive Bill, telling him that if he opposed it, no matter what might be the opinion of the House, he and the Government would, throughout the country, be regarded as obstructives upon the great question of repressing intoxication. Now, he hated nothing more than a *tu quoque;* but he was bound to say that his hon. Friend appeared to him the greatest obstructive in dealing with this question. His hon. Friend, in asking for that which he knew the House would not grant—no, not if he lived to be twice the ordinary age of man —might say he was only acting upon the old principle—"The horse that wins the race must gallop beyond the goal;" you must always ask for something more than you want or expect to obtain. Something might be said for such a course;. but, on the other hand, by raising false hopes throughout the country, and attracting men's minds to false issues, the hon. Baronet was weakening the hands of those who wanted to carry a practical measure which would really repress intoxication and its concomitant evils. There were two opinions on the question under discussion. The opinion of the House generally was that it was merely necessary to impose restrictions upon the abuse of intoxicating drink. His hon. Friend, however, thought that any use of such liquor was an abuse, and wished, therefore, to stop the sale of it altogether. He called on the inhabitants of a district to say, not that there should be a limited number of publichouses, but that the sale of intoxicating liquor should be absolutely prohibited. What would be the result of such a measure? Evasion of the law, and, more or less, open opposition to it. His hon. Friend said the permissive principle was already embodied in our legislation, mentioning such Acts as the Local Government Act; but he forgot one broad distinction between those Acts and his Bill—namely, that the former, when adopted, were adopted once for all, whereas his measure would be the signal for perpetual conflicts, renewed again and again in every district in the attempt to reverse the original vote, whatever that might be. Such conflicts would infallibly occur, continually disturbing the peace of the locality; and another evil would be that if the Act were adopted, and the vote was afterwards reversed, a class of houses would spring up far worse than those which originally existed. In dealing with this question, the object of reasonable men was to reduce the number of publichouses; to insure that they should be respectably conducted; to subject them to strict regulations; to limit the number of hours during which they should remain open; to take every possible guarantee for good management; and to encourage the establishment of working men's clubs, in which they might find the refreshment and the social relaxation they desired. Knowing the House to be in earnest in this matter, he thought that a measure aiming at these great advantages must be carried. But, so far from helping forward such a measure as he has sketched, the course taken by his hon. Friend greatly diminished its chances, because it did not receive the public enthusiasm and support which otherwise it might secure. There could be no doubt as to the decision of the House to-day; but it was to be hoped that the division would represent the real meaning of the House, for hitherto this Bill had been supported not only by those who believed in it, as the hon. Baronet did, but by those who, disapproving its provisions, yet voted for it because they wanted to stimulate the Government to bring forward annother measure, or because of great evils to the remedy of which they did not see their way. Then, again, many hon. Members really opposed to the Bill failed to vote, withdrawing from the performance of a great public duty.

Thus the opinion of the House had never yet been fairly tested. Such a course was not creditable to the House. The country had a right to expect that hon. Members would act not upon the dictation of large sections of their constituents, however earnest and well-meaning, but upon their own well-matured convictions. He hoped that to-day hon. Members would give a decisive "Aye" or "No" to the Question from the Chair. For himself, believing the measure to be an unjust one, inasmuch as it would destroy a vast amount of property, giving the owners no compensation whatever; believing it also to be delusive, inasmuch as it would not be adopted to any considerable extent, and would therefore be inoperative; and lastly, being of opinion that it stood in the way of a really practical measure, he should certainly record his vote against the second reading.

Sir WILFRID LAWSON, in reply, denied that the Bill in any way interfered with any legislation which might be in contemplation for the amendment of the licensing system; and he maintained that the Home Secretary was not justified in arguing that he blocked the way. The right hon. Gentleman had had his opportunity, but had lost it by withdrawing his Bill, and was he now to find fault with the promoters of this measure for fighting it out to the end? Not a word did the right hon. Gentleman say to indicate that he was going on with the police clauses of the Government measure, as the Prime Minister had stated. He (Sir Wilfrid Lawson) was therefore justified in assuming that the present Bill, though it might not be perfect, was the only measure on the subject before the House. The right hon. Gentleman seemed to complain that the advocates of the permissive principle had not supported the Government Bill. Well, while prepared to support all that was good in it, they could not be expected to get up a great agitation in favour of a Bill for which they had never asked. But the truth was, that if it had not been for the United Kingdom Alliance, nobody would ever have heard of a Government Licensing Bill. A more extraordinary speech than that of the noble Lord the Member for Liverpool (Viscount Sandon) he had never heard; for he said that the provisions of the Bill, if passed into law, would be carried out by the religious people of the large towns, the leading citizens, and the best of the working classes, and opposed by the lower classes, and that that was his reason for objecting to the Bill. The noble Lord had made another statement which, to his (Sir Wilfrid Lawson's) mind, was far more remarkable than the last, for he said he knew many publicans who had done more than many philanthropists had done in putting down vice. He would ask the noble Lord if he believes in that, why he does not set up a missionary society for sending licensed victuallers everywhere to put down vice? He knows what has been done at Liverpool through the system of free trade in liquor which was authorized by the magistrates, the consequence of whose action was to make Liverpool next door to a very hell upon earth. [*Cries of* "Order!"]

Viscount SANDON: I rise to Order, and desire to know whether the hon. Baronet is right in speaking of a constituency in such a way?

Sir WILFRID LAWSON said, he was ready to retract the word if the noble Lord thought it offensive to have it supposed that he represented a constituency of that nature. He would only say that the course which was adopted by the magistrates at Liverpool so enormously increased crime, and degraded the whole community of the place, that they were speedily compelled to reverse their policy. The hon. Baronet the Member for the City of Dublin (Sir Dominic Corrigan) was very much afraid that if this Bill came into operation, and prohibition was enacted in one parish, the people would go into another parish to procure drink. His idea of public happiness was an equal distribution of drunkards throughout the country; but does he not see that if the drunkards went over in that way, the other parish has only to put down drinking shops and thus the nuisance would be got rid of? In conclusion, in spite of the prophecies of the right hon. Gentleman that the Permissive Bill would never pass, he should persevere with it, believing that public opinion being aroused, it would be satisfied with nothing less than the removal of this great curse from our midst.

Sir HENRY HOARE denied that the opposition to the Permissive Bill proceeded mainly from the publicans. It was far more a ratepayers' opposition, and in his own borough ratepayers said to him—"Sir Henry Hoare, you are a plain, blunt man, and we tell you plainly and bluntly that if you vote for such a Bill, with such penal clauses, out you go for Chelsea." He had not received one letter intended to intimidate him into opposition to the Bill; but he had been threatened that if he did not vote for it, he should sit for Chelsea no longer.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 124; Noes 206: Majority 82. [*But see* pp. 962-3.]

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

POOR LAW PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of Mr. HIBBERT, Bill to confirm two Provisional Orders made by the Poor Law Board under the Poor Law Amendment Act, 1867, with reference to the parishes of Shipton Oliffe and Shipton Sollars, in the county of Gloucester, and to the parish of Dalton, in the county of Lancaster, *ordered* to be brought in by Mr. HIBBERT and Mr. STANSFELD.

Bill *presented*, and read the first time. [Bill 148.]

House adjourned at a quarter before Six o'clock.

HOUSE OF COMMONS,

Thursday, 18*th May*, 1871.

MINUTES.]—SELECT COMMITTEE—*First Report*—Diplomatic and Consular Services [No. 238]; *Twenty-second Report*—Public Petitions.

PUBLIC BILLS—*Resolution in Committee—Ordered First Reading*—Pier and Harbour Orders Confirmation (No. 3)* [153].

Ordered—First Reading—Game and Trespass* [151]; House of Commons (Witnesses)* [156]; Norwich Voters Disfranchisement* [155]; Corrupt Practices Act Amendment* [152]; India (Local Legislation)* [154].

Second Reading—Tramways Provisional Orders Confirmation* [130]; Ecclesiastical Dilapidations* [144].

Referred to Select Committee—Courts of Justice (Additional Site)* [133].

Select Committee—Ecclesiastical Titles Act Repeal* [27], Mr. Brand, Mr. Locke King, Mr. Rowland Winn, and Mr. Charles Mills *added*; Inclosure Law Amendment* [32], Mr. Lowther *discharged*, Mr. Nicholson Hodgson *added*; Benefices Resignation* [111], *nominated*.

Committee—Army Regulation [39]—R.P.

Committee — Report — Customs and Income Tax [136]; Gas Works Clauses Act (1847) Amendment (No. 2)* [113-150]; Marriage Law (Ireland) Amendment* [93]; Consolidated Fund (£7,000,000)*.

Considered as amended—Dogs* [114-149].

Third Reading—Pier and Harbour Orders Confirmation* [146]; Pensions Commutation* [122], and *passed*.

INDIAN CIVIL SERVICE EXAMINATIONS.

QUESTION.

SIR FRANCIS GOLDSMID asked the Under Secretary of State for India, Whether during the present year there will be an examination, similar to that of 1870 and previous years, of candidates for admission to the service of the Government of India as civil engineers; and, whether after the present year there will be any and what mode besides the mode indicated in the revised prospectus of the Cooper's Hill College, of obtaining admission to the service of the Government of India as civil engineers?

MR. GRANT DUFF: In reply, Sir, to my hon. Friend's first Question, I have to say that there will be such an examination. That has been always part of our scheme, and the intention to hold it has been extensively advertised. It will be held in July. In reply to his second Question, I have to say that certain objections to the prospectus of the Civil Engineering College, as it now stands, which have been urged by my hon. Friend have been carefully considered, and it has been decided so to modify our arrangements as to remove any kind of inequality between the conditions under which the College students and outside students shall be admitted to the public service. We propose to allow students who have not studied at Cooper's Hill to present themselves for examination up to the age of 24, and to give them appointments in the Public Works Department in India, of the kind mentioned in the College prospectus, provided they satisfy independent examiners that they come up in all respects to the standard of qualification which will be required from the College students at their final examination, which will be conducted by the same independent examiners. The first of these examinations will be held in 1874, when the first batch of College students passes out of the College. The Government will of course continue to make appointments to the public service of civil engineers of experience and standing from time to time, as the wants of the service may require.

TERMINABLE ANNUITIES. QUESTION.

Mr. WHITE asked Mr. Chancellor of the Exchequer, If he would state to the House what proportion of the "future annual charge" for Terminable Annuities (as stated in the last "Finance Accounts"), viz. £4,017,955 13*s.* 11*d.*, is for Interest and what proportion is for redemption of Capital, and also the total amount of Debt that will be thus cancelled, and when?

The CHANCELLOR of the EXCHEQUER: Sir, the total amount of Terminable Annuities existing on the 31st of March, 1871, was £4,559,380. Of this, £1,739,096 may be taken as interest and £2,820,284 as principal applied to the redemption of the capital. The amount of debt in a Perpetual Three Per Cent Stock which these annuities may be said to represent is £57,969,885. Nearly one million of these annuities consist of life and tontine annuities, and the average duration of these may be taken at about ten years. The bulk of the remainder (about £3,900,000) expire in 1885. Of this amount £3,396,232 per annum is payable to the National Debt Commissioners, on account of Savings Banks and Post Office Savings Banks.

NAVY—PORTLAND HARBOUR.
QUESTION.

Mr. OWEN STANLEY asked the First Lord of the Admiralty, If the total cost of £1,029,920 for the construction of Portland Harbour, as given in the quarterly Return ending 31st March 1870, includes all the expenses of the Convict Labour, together with the Maintenance and Guard for the Convict Establishment at Portland; and, if the Government has ever received any Return contrasting the expense of employing Convict Labour with Free Labour, from the late Mr. Rendel, during the time that Sir Charles Wood, now Viscount Halifax, was at the Admiralty?

Mr. GOSCHEN said, in reply, that the total cost of Portland Harbour, amounting to £1,029,920, as shown in the Quarterly Return ending the 31st of March, 1870, did not include the cost of maintenance of convicts nor of the guard; it included the cost only of tools and materials, or the difference between the cost of keeping convicts employed and unemployed. No Return was made by Mr. Rendel at the time Lord Halifax was at the Admiralty showing the difference between convict and free labour, but he believed some such statement was shown unofficially to Sir James Graham.

LAND BELONGING TO CORPORATE BODIES.—QUESTION.

Mr. WREN HOSKYNS asked the Secretary of State for the Home Department, Whether any and what measures have been taken to obtain the Return of the acreage of land held by public corporate bodies in each county in England and Wales, for which an Address was moved on the 10th of August last?

Mr. BRUCE, in reply, said, that all possible steps had been taken in the matter, but hitherto with indifferent success. Application had been made to the Charity Commissioners, the Ecclesiastical Commissioners, and the municipal bodies. The Charity Commissioners were only able to give Returns of the parts of England over which their operations had hitherto extended. The Ecclesiastical Commissioners were not able to make Returns of the land of which they held the reversionary interest, but only of that which was in their own hands; and from about half the municipal bodies no Returns had yet been received.

ARMY REGULATION BILL.—QUESTION.

Colonel C. LINDSAY asked the Secretary of State for War, with reference to a statement made by him, If he will state what will be the rate or rates of pension to which soldiers are to be entitled if disabled during their six years with the colours, and for what period of time will such pensions continue; whether it is to be understood that soldiers will be obliged to fulfil their twelve years' engagement before they receive any pension at all, notwithstanding they become disabled during their first period of six years with the colours; and, whether it is to be understood by recruits that the minimum period of their service with the colours will be bonâ fide six years, and that it will not be reducible on any account or by any authority, except in case of disability from service or wounds, or for misconduct, as at present dealt with?

Mr. CARDWELL: Sir, the rate and period will, as at present, be determined by the Commissioners of Chelsea. If disabled, the soldiers will evidently be unable to fulfil the residue of the original engagement; and, of course, they will not be required to do so. The engagement will be dealt with as at present; and in the fourth section of the Act of last year provision is made for its being varied in certain cases, with the soldiers' free assent.

ARMY—VOLUNTEER EQUIPMENTS.

QUESTION.

Colonel C. LINDSAY asked the Surveyor General of the Ordnance, If he will specify the various articles necessary for a soldier's equipment which he intends to issue to those Volunteers who take part in the Military movements of the Army in September?

Sir HENRY STORKS: Sir, a Circular will be issued in the course of a few days, specifying the various articles of camp equipment which will be issued to Volunteer regiments or corps which propose to form part of the force to be assembled for a camp of exercise in the autumn.

ARMY—RECRUITING ARRANGEMENTS.

QUESTION.

Colonel STUART KNOX asked the Secretary of State for War, Whether it is true that, under the proposed scheme of short service enlistments, it is intended to alter the present mode of recruiting and substitute instead Registry Offices all over the Country?

Mr. CARDWELL: Sir, objection has been taken to the conduct of recruiting at publichouses, and the officers employed have been asked for their opinion as to the substitution of registry offices. I am informed that they are all opposed to any change at present, and repeat that no intoxication results from the present mode of raising recruits.

PEDLARS' ACT.—QUESTION.

Mr. GATHORNE HARDY asked the Secretary of State for the Home Department, Whether he will lay upon the Table a Copy of the "legal and technical" objections to the Pedlars' Act which the Inspector of Constabulary in Scotland states to have been submitted to him; and, whether he can produce Reports as to the general working of that Act in the United Kingdom?

Mr. BRUCE, in reply, said, he would lay on the Table a Report which contained the "legal and technical" objections, and also selections from more important Reports, dealing with the same subject in England. A Bill founded upon these Reports had been prepared to amend the Act of last year, and he hoped to ask leave to introduce it shortly.

ARMY—BOYS AT WOOLWICH ARSENAL.

QUESTION.

Colonel BERESFORD asked the Secretary of State for War, If Colonel Milward, the Superintendent of the Laboratory Department, Royal Arsenal, Woolwich, did in August last, either by orders from the War Office or on his own responsibility, withdraw the boys from attendance at the school in that department, so that only a few from other departments remained to be educated; and, if so, on what ground; if the War Office Regulation, which provided for all boys under seventeen years of age attending school on two half days in each week was abolished at the same time, after having been in force about fourteen years; whether Colonel Milward, upon remonstrance at such closing, has allowed only about three hundred out of over twelve hundred boys now employed to receive education; and, whether the Secretary of State for War will re-consider the step taken in order that all the boys in the department may be educated?

Sir HENRY STORKS: Sir, no orders were given to Colonel Milward, Superintendent of the Royal Laboratory, from the War Office in August last to withdraw the boys from attendance at the school in the Royal Arsenal. The facts of the matter are as follows:—Colonel Milward reported on the 19th of August, 1870, that in order to be able to meet the increased work on small-arm ammunition he had found it necessary, as a temporary measure, to stop the attendance of the boys at the general school. Colonel Milward's proceedings under the circumstances were approved; but he was directed to use every effort to enable the boys to resume their attendance, and this is being gradually accomplished. There is no War Office Regulation which provides that all boys under 17 years of age should attend school on two half-days in each week. Colonel Milward has shown every desire to enable the boys to attend school, in accordance with the orders he has received, and the attendance now averages 350. For the number who remain eligible to attend, additional masters are required, and steps have been taken to obtain the consent of the Treasury to their appointment.

HABITUAL CRIMINALS ACT.

QUESTION.

Mr. STEPHEN CAVE asked the Secretary of State for the Home Department, Whether it is intended to introduce a Bill during this Session to amend the Habitual Criminals Act?

Mr. BRUCE said, in reply, that such a Bill would be introduced, but in the House of Lords in the first instance, on account of the pressure of Public Business in that House.

IRELAND—COUNTY COURT JUDGES.

QUESTION.

Sir COLMAN O'LOGHLEN asked the First Lord of the Treasury, Whether it is the intention of Her Majesty's Government, in redemption of their pledge of last Session, to propose a Bill this Session for the purpose of making a proper addition to the salaries of the County Court Judges in Ireland for the additional duties imposed on them by the Irish Land Bill?

Mr. GLADSTONE, in reply, said, he had called for a Return of the additional work imposed on County Court Judges in Ireland consequent upon the administration of the Land Act, and as soon as he had received the Return no time would be lost in making such a proposal to Parliament as would meet the case.

ADULTERATION OF TEA.—QUESTION.

Lord EUSTACE CECIL asked the Secretary of State for the Home Department, Whether his attention has been drawn to a statement recently made by Dr. Letheby, before the Commissioners of Sewers, to the effect that 600 half-chests of so-called Moning Congou tea, described as composed of broken down and rotten leaves of tea and other plants mixed with earthy matter and iron filings, had been sold by public auction at the Commercial Sale Rooms, Mincing Lane, during the last month; and, whether, in view of a very similar sale having been made the subject of legal proceedings only last year, the right honourable Gentleman proposes to do anything towards the protection of the health and pockets of all classes of Her Majesty's subjects, both by assisting to bring the present offenders to justice as well as by redeeming the assurance given by him to the House last Session that he would give the whole subject of adulteration his best consideration, in order to bring about an improvement of the existing Law?

Mr. BRUCE said, in reply, that in consequence of having received notice of this Question only that morning it had been impossible for him to make sufficient inquiries as to the accuracy of the statement; but, presuming the facts were accurately stated, he saw no reason against the offenders being prosecuted by the Solicitor to the Excise for a breach of the Act of George IV. with respect to the adulteration of tea. As regards the amendment of the law, he stated that the weak points in the existing statute were the insufficient penalties and the want of some person who, under all circumstances, would undertake prosecutions under the Act. The Bill introduced by the hon. Member for Birmingham on the subject considerably increased the penalties, and although he regretted that it dealt only with a portion of the defects in the present law it was clearly an improvement, and he purposed supporting it. The second and much more difficult point required further consideration.

CASE OF MR. G. MACKEY.

QUESTION.

Mr. NEWDEGATE asked the Secretary of State for the Home Department, What information he has received or possesses with respect to the present position of Mr. George Mackey, now a prisoner in Winchester Gaol, the term of whose imprisonment, as originally assigned by Mr. Melville Portal, the Chairman of the Quarter Sessions, has expired; when, and upon what conditions, if any, Mr. George Mackey will be liberated; and, whether the Solicitor for the Treasury, who recently appeared in the

Bow Street Police Court to prosecute Mr. Robert Steele upon a charge, analogous to that upon which Mr. George Mackey is imprisoned, has stated a case for the opinion of the Court of Common Pleas, as directed by Sir Thomas Henry, the magistrate; and when, if this has been done, the hearing of this case by the Court of Common Pleas is expected to come on?

MR. BRUCE, in reply, said, that Mr. George Mackey was sentenced at the Winchester Quarter Sessions in January last to three months' imprisonment for publishing an obscene pamphlet, and he was also ordered to enter into his own recognizances for £100, and to find sureties for his good behaviour for 12 months. He had neither entered into those recognizances nor found the sureties, and he now remained in prison until he had done so. The Solicitor to the Treasury, who recently appeared at the Bow Street Police Court to prosecute Mr. Robert Steele, upon a charge analogous to that preferred against Mr. Mackey, has sent to Mr. Steele's solicitor a copy of a case directed by Sir Thomas Henry, the magistrate, to be stated for the opinion of the Court of Common Pleas. That case had not yet been returned by Mr. Steele's solicitor; but when it was returned the matter would be proceeded with.

ARMY SERVICE CORPS.—QUESTION.

MAJOR ARBUTHNOT asked the Secretary of State for War, Whether it is in contemplation to separate the "Transport, Supply, and Ordnance Branches of the Army Service Corps," which appears to be contemplated by the alteration in the second Clause of the Mutiny Act for the current year; and, whether he has any objection to lay upon the Table of the House any Minutes by the Director of Supply and Transport, as well as by the Director of Ordnance and Stores, which have been written, urging such separation?

SIR HENRY STORKS: Sir, the Army Service Corps is divided into three branches—supply, transport, and stores, with officers and men attached, who are specially trained for their respective duties—but they form one corps as regards pay, allowances, and conditions of service. Any Minutes which may have passed on the formation of the Army Service Corps are departmental observations, and, as such, cannot be produced.

ORDNANCE SURVEY FOR ENGLAND.

QUESTION.

MR. WREN HOSKYNS asked the Chief Commissioner of Works, At what period we may hope to have the 6-inch Ordnance Map completed over England which has so long been completed for Ireland and Scotland?

MR. AYRTON said, in reply, that assuming that the survey was conducted in future in the same manner and under the same conditions as in the past, it would take 14 years to complete the map of England. He regretted that he was not able to make any statement respecting the future mode of proceeding, having no information on the subject.

PARLIAMENT — DIVISION ON THE PERMISSIVE BILL.—QUESTION.

SIR WILFRID LAWSON: I rise, Sir, on a matter of Privilege. It appears that yesterday, when the division took place on the second reading of the Permissive Bill, the hon. Member for Leeds (Mr. Wheelhouse) gave in the numbers of the majority as 206, whereas it appears from the Votes that only 196 Members voted against the Bill. I believe, Sir, you have given instructions to have that matter put right, and I think that the hon. Member for Leeds ought to walk up the House and state his mistake. Since you gave those instructions we have made a search for the hon. Member for Leeds, but have been unable to find him. What I now wish is to ask, Sir, whether you will give instructions for a due and proper search to be made for the hon. Member, so that the matter may be put right before the rising of the House?

MR. SPEAKER: It will be necessary for both the Tellers to be present, and when they are present the matter can be easily set right.

MR. BOUVERIE: I am not aware, Sir, what the presence of the hon. Member for Leeds has to do with the correcting of the numbers, or in what respect it is his duty to be here. The two Tellers were agreed. The rule, I believe, is that if the two Tellers, one of whom is selected from each side, are agreed as to the numbers which are given in that is conclusive, at any rate as to the declaration of the division, and there was an end of their duty. If it appears that some mistake has been made in the Division List, I will not undertake to say what should be done to set the matter right in the Journals; but upon this occasion the two Tellers were agreed, and one of them had spoken in favour of the Bill, and was the Teller of the hon. Baronet; and there is no ground of animadversion on the other.

And afterwards—

Lord Claud Hamilton and Mr. Wheelhouse, being two of the Tellers in the Division of yesterday upon the Amendment upon the Second Reading of the Permissive Prohibitory Liquor Bill, came to the Table and acquainted the House,

That they had erroneously reported the number of the Noes as 206 instead of 196, which was the proper number, corresponding with the Division List.

Ordered, That the number of the Noes in the said Division be corrected accordingly by the Clerk.

PARLIAMENT—MORNING SITTINGS, &c.

QUESTION.

Mr. G. BENTINCK asked the First Minister, Whether he proposes to take a Morning Sitting to-morrow and again next Tuesday and Friday; and, if so, what compensation he will make to independent Members for the time thus forcibly taken from them? He also asked, as, when the House was counted out the other night by an ex-Minister, there were only four Members of the Government present, what step the right hon. Gentleman intends to take to prevent the recurrence of such an event?

Mr. GLADSTONE, in reply, said, it was intended to propose that the House should meet on Tuesday and Friday mornings next for Public Business. ["Oh, oh!"] Of course, it was a matter for the judgment of the House; but that was the proposal of the Government. As to the occurrence the other night, he was himself in his place and counted one of the number who unfortunately were not sufficient to make a House. He did not think the hon. Member (Mr. Bentinck) was in his place on that occasion. [Mr. Bentinck said, it was not his business to be.] It might not be the hon. Member's business; but if the Government were under a distinct obligation in regard to Friday evenings, on Tuesday evenings it was not possible for them under all circumstances to undertake to keep a House. Yet, if the hon. Gentleman would use his influence for next Tuesday evening, and would especially attend himself, the Government would do their best to second his efforts.

CUSTOMS AND INCOME TAX BILL.

[BILL 136.] COMMITTEE.

Order for Committee read.

Mr. DISRAELI: Sir, the Bill upon which we are now asked to go into Committee is a Bill which provides the Ways and Means for the present year. It has two remarkable features—first, the Ways and Means which it provides are not the Ways and Means which were proposed in the Budget; and secondly, the Ways and Means which it proposes provide for a deficiency of more than double the amount that was announced in the Budget. These are circumstances which, at any time, would justify comment and would demand explanation. But if these circumstances are intentional, and if they are indicative of a policy, and that a policy not adopted by the House of Commons, and which some believe it would be most dangerous for this country to follow, the House will agree with me that it is the imperative duty of those who entertain such an opinion, before this Bill is proceeded with, to call the serious attention of the House to its character.

There have been so many changes in the financial measures of the Government, so many vicissitudes, and so many perplexing incidents relating to them, that it is difficult to realize that only a month has elapsed since the Financial Statement was made by the Chancellor of the Exchequer. On that occasion the right hon. Gentleman had to announce the existence of a deficit, and had at the same time to lay down the principle which, in his opinion, ought to be adopted by the House in order to make good that deficiency. On that occasion, when he made his general statement, and on a subsequent occasion, a few days afterwards, when he again addressed the House, the right hon. Gentleman the Chancellor of the Exchequer laid down two principles as those by which the Government intended to be guided in their endeavour to make good the deficiency, and those principles, I apprehend, were accepted by the House not only generally but cordially. In laying down those principles the Chancellor of the Exchequer expressed himself as being of opinion, first, that the deficit ought not to be made good solely by means of direct taxation; and secondly, that of all modes of direct taxes, the one to which he should the least willingly have recourse was the income tax; because, as he informed us—and upon such a point who could be a better judge than a Chancellor of the Exchequer?—the income tax was a tax borne with more impatience than any other tax, and one which severely pinched the lower middle classes. I think that those two principles which were to guide the Government in supplying the deficiency were generally accepted, sanctioned, and approved by the House. In order to carry into effect these principles the right hon. Gentleman introduced three measures. He proposed a new indirect tax; he proposed to double an old direct tax, and he proposed to supply the remaining balance of the deficiency by a temporary increase of the income tax. The Committee of Ways and Means voted immediately a Resolution in favour of the new indirect tax. It may be said that a vote on the first night of the consideration of a Budget is one which does not ultimately bind the opinion of the House, and I believe that a correct view. But, in this instance, the policy of the new indirect tax was subsequently questioned, when the proposal of the Government was supported by a large majority of the House. On a subsequent occasion, the general financial policy of the Government was questioned by a political Friend of theirs, and on that occasion again the House decided by a majority in favour of the Government proposals. I think that occurred on Monday, the 24th of April—it is of importance that the dates should be accurately borne in mind; and on Tuesday, the 25th of that month, the Chancellor of the Exchequer came down to this House and announced his abandonment of his new indirect tax; but he gave no reason whatever to the House, that had supported it on more than one occasion, for the course he adopted. At the same time he informed the House that on the following Thursday he should proceed to propose a Resolution in favour of doubling the old direct tax—namely, the succession duty. That was on the Tuesday, the 25th of April. On Thursday following, however, Her Majesty's Government announced the withdrawal of their Resolution in favour of doubling the old direct tax, the succession duties, and again no reason whatever was given to the House for the withdrawal of a Resolution in favour of a tax upon which the opinion of the House had not been taken, neither up to the present moment has any reason been given to the House by the Chancellor of the Exchequer, or by anyone of his Colleagues, why that proposition was withdrawn. It is quite true that in the course of the debate some mysterious allusions were made by the hon. Member for the county of Durham (Mr. Pease), which gave the House an inkling that some private communication had been made to Her Majesty's Government on the subject. It was evident from the statement, or rather from the intimation of the hon. Member, that the Government had been embarrassed about their proposition; in fact, it was clear that a pressure had been put upon the Government, and that the Chancellor of the Exchequer had been forced into a corner, although it did not appear that any actual violence had been used. At any rate, it is clear that something had then occurred which has never been communicated to the House. And I beg the House to take notice of that fact, because in surveying our position and the peculiar circumstances in which we now find ourselves placed it is important we should remember that we never have had any reason alleged in this House why Her Majesty's Government withdrew their proposition, and that the only remark made by them on the subject was, that as regarded the doubling of the succession duties, Her Majesty's Government highly approved the suggestion, and intimated to the House that, on a more favourable opportunity, it would again be introduced to their notice. After those two remarkable incidents had occurred, we were informed by Her Majesty's Government that, the Budget having been virtually withdrawn, the deficit for the year, which was described to us as being £2,700,000, was to be supplied entirely by direct taxation, and especially by that particular tax which the highest authority had informed us was a most unpopular tax throughout the country, and one which severely pinched the poor middle classes. Sir, in consequence of this course being taken by the Government, a Bill was read a second time, the object of which was to impose an increased income tax equal in amount to the alleged deficiency in the revenue of the country. That Bill was read a second time, without having been seen by the House. The House agreed to take that course on account of the pressure of public business, and because they received from the right hon. Gentleman the First Minister of the Crown his personal assurance that the Bill in question was a mere form—that it merely put into legislative shape the vote which the Committee of Ways and Means had passed respecting the income tax, and was, in fact, the vote of the Committee of Ways and Means, placed in the shape of a future statute. When this Bill was at last placed in the hands of hon. Members, the House discovered with surprise that the Bill was not a mere form, and that it did not apply solely to the income tax, but to another tax—namely, the house duty also. The attention of the House was called to a circumstance so remarkable—and I must say that since I have been in Parliament I have never heard of a similar instance of a Chancellor of the Exchequer bringing in a Bill respecting a tax on which he had not previously taken a Resolution of the Committee of Ways and Means. However, the attention of the Government was called to this state of affairs, and, after due consideration and inquiry, they felt it to be their duty to withdraw that Bill. They omitted from the Bill all reference to the house duty, and it then assumed the shape in which it is at present before us. The Bill, as it now stands, is not an Income Tax Bill, but a Custom Duties and Income Tax Bill. It proposes Ways and Means for a deficiency more than double the amount of that which was announced in the original Budget.

Now, I have brought to the consideration of the House, I trust accurately, the various circumstances which occurred before the Bill took its present form. The Bill, in its present form, not merely proposes Ways and Means, by an income tax, which are to meet the alleged deficit in the Budget of the Chancellor of the Exchequer, but it proposes Ways and Means which are to meet another deficit which will be occasioned by the cessation of the tea duties in the month of August next. I think the House should observe in what a peculiar position this conduct of the Chancellor of the Exchequer places the House with reference to the consideration of their financial policy. If the Chancellor of the Exchequer, when he made his Financial Statement, had forgotten the impending expiry of the tea duty, in was an inadvertence which, to say the least of it, was hardly excusable. If, on the other hand, the conduct of the Chancellor of the Exchequer was intentional, it will lead to very grave conclusions, and will require the notice of this House. I think, indeed, a more serious question could scarcely be brought before the House; for, observe what peculiar relations have been established between the Committee of Ways and Means and the House generally, and the Chancellor of the Exchequer by his conduct in this respect. The Chancellor of the Exchequer, when he made his Financial Statement, did not announce the complete deficit of the year. He omitted to notice the deficit that would be occasioned by the expiring of the tea duties. He took a course which no Chancellor of the Exchequer has yet taken with respect to that matter. No Chancellor of the Exchequer, since the last arrangement with respect to the tea duties, by which they were made an annual tax, has made a Financial Statement without either computing the deficiency occasioned by the expiring of those duties among his elements of deficiency—if deficiency unfortunately fell to his lot—or without, on the night of making his statement, laying Resolutions, of which he had given due notice, on the Table of the House, exhibiting to the Committee of Ways and Means the various modes, among which would be the levying of the duty upon tea, with which he would meet the deficiency. When the right hon. Gentleman the First Minister was Chancellor of the Exchequer he never omitted that duty. I had to bring forward a Budget in 1867, and I moved Budget Resolutions upon tea duty, so that there should be no mistake. Of course, in my statement I noticed the expiry of the tea duties, and I informed the Committee of Ways and Means that I assumed in my calculations that they would consent to their renewal. The same course was followed by my right hon. Friend the Member for North Northamptonshire (Mr. Hunt), who is, I fear, absent to-night, and the same course was adopted in 1868. Now, see what a position the House of Commons, or rather the Committee of Ways and Means, would have been in, if the Chancellor of the Exchequer had laid his complete deficiency before the House, and made the House acquainted with the entire Ways and Means that we had to vote to meet it. The House would have seen, in the first instance, that there was not only one indirect tax—and that a new one—for them to consider, but they would have seen in the Ways and Means that there were two indirect taxes for them to consider, and then they would have had an opportunity of the application of the principles on which the Budget was founded. They would have come to the consideration of our financial position impressed by these two principles—first, that the deficiency was not to be supplied by direct taxation only; and, secondly, that in the application of direct taxation to meet that deficiency, above all, we should, as lightly as possible, trench upon the resources of the income tax. With these two opinions of the Government before them—with that definite policy to guide them, I may say—the House would then have considered the two indirect taxes before them, and it would have been open to them to have come to a conclusion very different from the conclusion to which they were ultimately driven, and which was to adopt a policy, in order to meet the deficiency, exactly contrary to the course which had been recommended by the Government themselves only a week before, and which the House was, I might almost say, entrapped into adopting, because the Government had given up their new indirect tax, although the House had supported them in it, and had kept from the House the fact that it was their duty, and that they would be called upon necessarily, in the course of time, to consider the incidence of another indirect tax, which was about to expire. Now, it appears to me that the conduct of the Chancellor of the Exchequer, as to the withdrawal of his original measures, requires explanation. We must recollect that a Chancellor of the Exchequer is a Minister who, of all others, has an opportunity of bringing forward measures completely matured. He has a long period of gestation—a period that is allotted to the nobler animals. He has the whole year to deliberate on the measures which he had to propose to the House. They are not lightly devised; they are not lightly adopted; and they are not to be lightly abandoned, and certainly not without an explanation to the House. Now, I say that the House, by the course which the Chancellor of the Exchequer took, was driven into a position in which they were forced, against the original advice of the Government, and avowedly against the general convictions of the House, to supply the deficit of the year in a manner which they all of them disputed, and to which every authority on finance had ever been opposed.

This is a Bill to levy a very heavy income tax, and to renew the duties on tea. Let me first say a word upon the income tax. It is a subject which most of us understand, which most feel the sting of; but, at the same time, one inexhaustible in its interest. The income tax is a tax which is noted for the facilities with which it is collected, and the affluent and abundant results it procures to the Treasury. It may be said also that such a feature in our financial system is a source of great power to this country, adding considerably to the substantial credit which this country enjoys, while the fact of its existence, it is well known, influences and regulates the conduct of foreign Powers. They know very well that England, if necessary, can engage in war and carry on a campaign without loans by the power which she possesses of appealing to the income tax; and that if this tax now, at a moment of great emergency, were raised to the amount which it arrived at in the time of Mr. Pitt, or even of Lord Liverpool, we should have a tax in our financial system which alone can produce a sum, without distressing the nation, of £25,000,000. These are the great features in favour of the income tax. Against the tax it must be said that it is unequal and unjust in its incidence; and, what is more, there is no financial genius in the world that can remove that inequality and that injustice. It has been tried in the person of the First Lord of the Treasury. No man was ever more sensible of the inequality and injustice of this tax than the right hon. Gentleman; no one has denounced them in language more fervent; and no one has confessed more completely that all his attempts to remove this serious objection to the tax were baffled. Therefore, he said—and many of us remember his saying the words—"There is only one mode by which we can terminate its inequality and injustice, and that is by terminating the tax itself." And the right hon. Gentleman brought forward his proposal to that effect, which will always, I think, confer on him the greatest honour. This is a tax, therefore, that one can resort to on a great emergency. When the country is in danger; when its fame and honour, and its dearest interests are concerned, the great body of the population does not trouble itself about the exact incidence of the tax; everybody is prepared to make sacrifices, and in the national excitement that then exists, the objections to an income tax cease to influence a Minister. But a tax so unequal and unjust as that should, I think, be resorted to only in cases of emergency; it should not be an habitual part of our financial system, severely pinching as it does, according to the Chancellor of the Exchequer, the poorer middle class. The tax is also most inquisitorial, and upon that ground, too, it is odious to the country. Now, Sir, that is the tax a great increase of which we have been obliged to have recourse to, in consequence of the alleged deficiency in our Revenue, and in consequence of the manner in which that alleged deficiency was brought before us.

Let me say one word now about the tea duty. It is of the utmost importance that the House should possess correct impressions of the duties that are levied upon the great articles of consumption, because we have had of late some strange and alarming doctrines respecting finance expressed from the Treasury bench. We were told the other night that it was not to be concealed from the House that it was no longer possible to increase any duty that was levied on any great article of consumption, and the House was consequently led to believe that there was no other alternative but to try further the resources of that income tax which was described by the best judge of the question as the most intolerable and unpopular of taxes, and which pinches so severely those poorer classes who have such claims on the consideration of the House of Commons. Now, what is the history of the tea duty? I think the House will find that it is advisable that upon this subject they should have some distinct idea before them. It is only 18 years since the time when the tea duties were first attempted to be dealt with. The duty on a pound of tea was then 2*s.* 2*d.*; it was even a trifle more, for there happened to be then a blundering arrangement of levying 5 per cent upon our imports, which made the duty a little more than 2*s.* 2*d.* The tea duties were first attempted to be dealt with by the Government of Lord Derby in 1852. We proposed a considerable reduction, that reduction to go on for two or three years, and, finally, to take the shape of 1*s.* on the pound. It was not permitted us to carry these measures into play; but the right hon. Gentleman who succeeded me in the post which I then occupied adopted our measure for dealing with the tea duties, and though his scheme was, I think, preferable to my own — I fairly say that, for he had great advantages in having an abundant surplus—still, in the main, the principles on which he dealt with the tea duties were almost identical with those I brought before the House; and he contemplated ultimately fixing the duty on tea at 1*s.* on the pound. Well, the Crimean War and other circumstances interfered with the arrangement which the then Chancellor of the Exchequer, the present Prime Minister, made, both with respect to the tea duties and the income tax. But still afterwards, when he returned to power, and the opportunity arose, he pursued the same policy; and so recently as 1863 he had the satisfaction of reducing the tea duty, which then was 1*s.* 5*d.* on the pound, to 1*s.* But I beg the House to observe the language of the right hon. Gentleman—I do not quote his words in order to taunt him in any respect, but merely because in this way may be given the most precise expression of the invaluable opinion of the highest authority on the subject. The right hon. Gentleman said—

"We are of opinion that the revenue from tea should at present be granted only until the 1st of August, 1864. It may be important to consider during the next Session, or at an earlier date, whether, according to the practice which formerly prevailed, some one important branch of revenue should in future be voted only from year to year."

And so on. And then the right hon. Gentleman says—

"This proposal will not have any disturbing effect on trade, for it is thoroughly understood by the trade, and by the country, that when the tea duty shall be reduced to 1*s.* per pound, the reduction will be, so far as we may presume to look forward into the future, a final measure." — [3 *Hansard*, clxx. 228-9.]

Now, that was the policy of the right hon. Gentleman with respect to tea, so recently as 1863; and it was also his original scheme that when the duty upon tea was 1*s.* a-pound it was to be a final measure. Now, in the next year, 1864, the right hon. Gentleman found himself in an embarrassing position—he had one of the largest surpluses that a Minister ever had to deal with; he had a surplus of £4,000,000. What was to be done with this? A surplus of £4,000,000! Our excellent friends, who always believe that the malt tax is going to be reduced or abolished, naturally thought that their time was come. They had meetings and they had deputations, and they fancied that they had made a great impression upon the then Chancellor of the Exchequer. The then Chancellor of the Exchequer even admitted to them that he would consider the question. The Budget came on in 1864, when the right hon. Gentleman had to deal with this surplus of £4,000,000. The area of change, in consequence of his versatile, and vigorous financial measures, for several years past was necessarily limited. The country party thought that the malt tax must be reduced or abolished, because there was no other article with which the Chancellor of the Exchequer could deal; but the right hon. Gentleman made a speech, in which he said that he had gravely and entirely considered their case, and the course which he intended to pursue was to reduce the tea duties from 1*s.* a-pound to 6*d.* a-pound. Now, that is the history of the tea duty. It brings me down to 1864, and from that period the duty upon tea has been 6*d.* The reduction from 1*s.* to 6*d.* has not been justified by the event. There was a considerable increase in the consumption of tea as long as there was a gradual reduction in the duty ending in 1*s.*, which both the right hon. Gentleman and myself and others had always conceived to be the most practicable and profitable settlement of the question; but the increase of consumption since 1864 has, I think, not justified the further reduction, for at this moment the amount of tea duty may be roughly stated at less than £3,000,000 sterling.

Now, I have placed the facts with regard to the income tax and the tea duties before the House. I am not now giving any opinion whether it was expedient when the Budget was introduced to supply any deficiency by means of the tea duties. It is not necessary to give any opinion on that point at present. But what I want to show to the House is this—that from the manner in which the Chancellor of the Exchequer introduced his Ways and Means to the Committee, the House never had an opportunity of forming an opinion upon that subject. It was impressed upon the House that the deficiency ought not to be supplied merely by direct taxation, and, of all modes of direct taxation, as little as possible by the income tax. Yet the only indirect tax, a new one, that was in the Ways and Means, was withdrawn without a reason by the Chancellor of the Exchequer, and he never placed before the Committee of Ways and Means, as all preceding Chancellors of the Exchequer had, the important fact for their consideration, that the tea duties would expire in August, and that they must be prepared, in some way or other, to supply the deficiency. Now, Sir, I will meet this question in what I believe to be a fair spirit. I will admit to the Chancellor of the Exchequer that, if there had been some extraordinary exigency, if it was necessary that a considerable sum should be raised for a particular purpose, and that it should be contributed by the annual revenue of the country, it might be a grave question whether, for such an object, you should what they call "disturb trade" —that is to say, make a difference in the amount of duty on articles of general consumption, merely for the purpose of supplying a want of the year. I think that that would be an unwise course. But while I say that, I would impress upon the House that they must not be carried away by vague phrases about "disturbing trade." Society is as much disturbed by increasing, and largely increasing, a highly unpopular tax. A tax which "severely pinches the poorer middle class," a tax which is "unequal in its incidence," "unfair in its assessment," and "inquisitorial in its character," a tax of that kind may be far more injurious to society than merely an alteration of duty on an article of general consumption, which may occasion inconvenience to a commercial class. But there are other considerations at this moment for the House, which they cannot and must not avoid, with respect to this subject of direct and indirect taxation. The country is involved in a vague, indefinite, and unfathomable military expenditure. It is impossible to conceal that fact. However various may be the opinions of hon. Gentlemen on both sides of the House as to the policy or the impolicy of the course which the Government may be taking upon this matter, no impartial mind can conceal from itself that, as far as expenditure for military purposes is concerned, the prospect is vague, indefinite, and, I say again, unfathomable. I will not offer to the House any estimates upon the subject. We have had estimates for three months, and they have varied from £8,000,000 to £40,000,000. As a rule, I take the figures of my opponents, and I think I can then safely draw some conclusion for my guidance; but the House cannot forget that the Government have acknowledged that next year we must provide for their scheme of abolishing purchase a sum of not less than £1,200,000. But let the House observe that this estimate was made before the restrictions on retirement were withdrawn, a step which has only recently been announced. It is impossible to suppose that the withdrawal of those restrictions on retirement will not eventuate in a much larger expenditure than £1,200,000. If we decide upon so singular a process as that lately described by a Cabinet Minister as "buying back the English Army from the English officers" — though I will not believe we have decided upon it until the Bill receives the sanction of Her Majesty—I cannot agree that the money required for such a purpose ought to be supplied from the accruing revenue of the year. But, irrespective of this vague amount of expenditure for military purposes, there are other sources of expenditure for which we must be prepared if this principle of meeting all extraordinary expenditure out of the income of the year is to be persisted in. We shall have to consider the Treaty of Washington. I will not express any opinion respecting that Treaty until I have it in my hands, for in all these things so much depends upon the language that I deprecate rash and premature discussion upon the general policy of that Treaty. But there are things to which it is impossible we should shut our eyes, because all are agreed upon them. One is that there are in this Treaty provisions for arbitration upon claims which, if conceded—and to a certain degree under any circumstances they must be conceded —will lead again to a great expenditure. According to this precedent of the abolition of purchase, we should have to supply that from the accruing revenue of the year. Then what prospect is there of getting rid of this increased income tax? It is not, therefore, a question of the convenience of the year. You have to consider whether, if not for perpetual, at least for permanent purposes, you are to supply these deficiencies, and accruing deficiencies, by having recourse to direct taxation of a peculiarly unjust and odious character, instead of considering some of these articles of general consumption, the character of which I have shown you by re-calling these statistical anecdotes connected with the tea duties.

There is another grave reason why the House should consider the course recommended by the Government at this moment. We had a question asked the other night of the Chancellor of the Exchequer as to the comparative incidence of direct and indirect taxation. I do not know whether that was what is called "an arranged question;" but, whether it was arranged or not, there never was an opportunity more felicitously availed of than that by the Chancellor of the Exchequer, for he rose and delivered a lecture upon the comparative incidence of direct and indirect taxation upon the taxpayers by our financial system. I will quote his figures without a comment. According to the figures of the Chancellor of the Exchequer we raise by indirect taxation £42,744,000; by direct taxation, £18,165,000; and by what he described as "neutral" taxation, £9,305,000. What is the natural and irresistible influence of those figures? It is that the policy of the Government is, and ought to be, to levy direct taxation. If there is such inequality in the incidence of the two classes of taxation, if the burden is so unequally divided between them, it not only ought to be the policy, but it is the duty of the Government, whenever there is a deficiency, and whenever there is any demand upon them beyond the supply of revenue, to raise increased resources by direct taxation. [Mr. WHITE: Hear, hear!] Hear, hear! The hon. Gentleman the Member for Brighton always agrees with me. It not only would be the policy, but, I maintain, it would be the inevitable duty of the Government, if they carry all those measures which they have indicated to us, to double the succession duties; they ought to terminate that claim of consanguinity which still prevails; and they ought to levy taxes upon the farmer's horse and the farmer's cart. That is irresistible if only £18,000,000 of direct taxation are levied in this country, and £42,744,000 of indirect taxation. But are these figures to be depended upon? It is of the utmost importance that we should have clear information upon this subject. I can understand a Chancellor of the Exchequer, with these figures in his pocket, his daily study and his nightly meditation, bringing forward financial measures such as these on which I have to comment to-night. Are these figures correct? The whole policy of this country depends upon their accuracy. I have taken the figures of the Chancellor of the Exchequer; and I would say, before I come to graver considerations, that I think there are two corrections of those figures, the justice of which the House would approve, and which would hardly be denied by the Chancellor of the Exchequer himself. The right hon. Gentleman has classed the Post Office and Telegraph revenues together amongst the neutral taxation. That makes a difference of £2,500,000, on the ground that we pay only for the service that is afforded us. That principle is perfectly true and just as far as it goes, but no further. The moment the service is paid for all the net revenue of the Post Office must figure as direct taxation. Is that a slight amount? In that way £2,500,000 is extracted from the pockets of the people, and that amount ought to be subtracted from the neutral taxation and added to the direct. The figures then would stand thus—indirect taxation, £42,744,000; direct, £20,619,000; and neutral, £6,851,000. But there is another item that ought to be added, but which the Chancellor of the Exchequer omitted. He has not inserted in his estimate of direct taxation the £3,000,000 which are to be raised by the Bill before us. That would make the indirect taxation £42,774,000, and the direct £23,719,000. And now let me recall this circumstance to the House, having rectified, as I believe, on sound principles, the figures which the Chancellor of the Exchequer gave us—let me remind the House that the public Revenue of this country is not merely an Imperial Revenue, but that it is raised in a great degree by local means, a public revenue being raised in this country by those means which in all other countries is raised by Imperial taxation. The local taxation of the United Kingdom amounts to £36,000,000 per annum. [The CHANCELLOR of the EXCHEQUER: That includes loans.] Yes; and I shall allow for that. I would deduct £8,000,000 for the interest on the money which has been advanced, not for public, but simply for local purposes, and if you add the £28,000,000 remaining to the direct taxation of the country—and it is just as much direct taxation as the income tax, and is expended for purposes as public and Imperial—how does the case stand? You have direct taxation £42,744,000, and indirect taxation £52,000,000. There is thus a large margin left, and having deducted the £8,000,000, you may deduct more if you choose; but there is at all events, I think, an end of the case of the Chancellor of the Exchequer, which was the foundation of his financial policy, which alone could justify the measures you will be asked to pass now in Committee, and which, no doubt, is the origin of those financial views which the right hon. Gentleman and others of his Colleagues have on more than one occasion communicated to the House. This state of affairs is one which requires our serious consideration. It is a most unfortunate circumstance that the Chancellor of the Exchequer did not, when he brought forward his Budget, tell us what the complete deficit was which we had to encounter, and that we had not all our Ways and Means placed before us, so that we might have had the opportunity of considering whether, dealing with indirect taxation, it might not have been in our power to relieve those poorer members of the middle class whose burden will be so much increased by the scheme before the House. It is well to bear in mind who those persons are who are so described. They are numerous. They are the class of this country whose decorous life contributes to our civilization as much as the refinement of an aristocracy; but whose decorous life is essentially a life of struggle. We have Papers on the Table which throw some light on the means of that class. We have no Returns, unfortunately, of contributors of all classes to the income tax; but those which relate to the contributors to Schedule D are most significant. There are 400,000 of those contributors, and the vast majority of them are assessed on incomes not exceeding £300 a-year; 330,000 are, I believe, assessed on incomes not exceeding that amount, and nearly 230,000 on incomes under £200 a-year. Now, these are persons whose lives are essentially lives of struggle, although from their domestic virtues and their industry there is among them an appearance of order and even of refinement which ought to be encouraged. It is very easy to look upon the income tax as a tax which affects the rich; but it is essentially a tax which affects the poor. If you analyze these lists, although it will be seen that the wealthy contribute according to their means, and that the amount which they contribute is very large, yet when you come to the number of the contributors you will find how many of them even in other classes have not greater incomes than those who are assessed at £300 a-year. Take a farmer, for instance, with 200 or 300 acres of land. If he gets 10 per cent on £2,000 invested in his farm, he will receive £200 a-year. Now, to commence the year with these classes by levying on them at once the whole of their income tax in accordance with a recent arrangement has greatly aggravated the burden which they are called upon to bear. The House, I am afraid, does not sufficiently appreciate the inconvenience which is caused by a tax which may be borne for a temporary object, but which, when it is made part of a system—and I think, after what I have said, I am justified in looking upon it in that light—renders the prospect before the taxpayers of this country extremely gloomy. If we have before us an increasing and unavoidable expenditure for such objects as the abolition of purchase, and the satisfaction of claims such as those discussed at Washington; and if, as the Government state, the time is past when we are to think of raising duties on articles of general consumption, then it seems to me that a very severe pressure will be put upon a most meritorious class. I do not say this as an enemy of direct taxation. I have always maintained that direct taxation must form a due proportion of our financial system. I think it does form a due proportion, and I would resist any attempt to diminish its fair share of the national burden, which the figures I have quoted show it bears. It is for the House, however, to say whether they will sanction the course which the Government proposes for our adoption. The question is one on which it will ultimately be forced to express it opinion. The country when it clearly comprehends that the Government are laying down a system of raising the Revenue for the future mainly by direct taxation will, I cannot help believing, support its representatives in resistance to such a policy. It is a policy which has not the support of the House itself, or of the majority on either side. The House of Commons wholly disapproves the course taken by the Government in meeting a deficiency by direct taxation, and especially by this form of direct taxation. That it is a sound policy is not the real opinion even of the Government. It was not, at all events, their opinion three weeks ago. I maintain that if the Chancellor of the Exchequer had acted frankly towards us—if he had done what all other Chancellors of the Exchequer have done, placed before the Committee of Ways and Means a full and complete view of our financial position and our real deficiency, the House would never have consented to take the course which, in my opinion, it unfortunately adopted.

THE CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman has practised on me something like a practical joke, because when, as the House will remember, he the other night gave, in a most monitory and minatory manner, notice that he was going to call attention to my conduct I really felt considerable anxiety. I understood then that the right hon. Gentleman proposed to enter into the merits of the whole of the transactions which have occupied our attention this Session, with regard to finance and Army expenditure. Judge, then, how great must have been my relief when I found him exhausting the whole of his energy and eloquence on a few very small technicalities. The first point in the right hon. Gentleman's speech to which I wish to advert is that in which he said that as the house duty was to be collected in a different manner we ought to have based our proposal on a Resolution. The matter is now of very little consequence, because, to prevent any discussion with respect to it, we withdrew the Bill; but even in this small technicality the right hon. Gentleman was not accurate, for I am told that what was required was not a Resolution, but merely an Order of the House. The right hon. Gentleman has also charged me with a piece of concealment and disingenuousness, because, he says, that in stating my deficiency as being £2,713,000 I did not add to it, as I ought to have done, the tea duties, which last year amounted to £3,235,000. I may observe, in passing, that the right hon. Gentleman was in error when he told the House that the measure of my right hon. Friend beside me (Mr. Gladstone) with respect to those duties had no effect, for they increased last year alone by £592,000. The right hon. Gentleman, of course, is perfectly aware—though he did not think it worth while to tell the House—what is the true history of the tea duties. There was a dispute between this House and the House of Lords upon a matter of privilege, and as a measure of precaution since that time the tea duty has been collected as an annual duty to be renewed every year—not that it was intended to tamper with or touch the duty every year—but as a sort of precaution that this House might not, in a matter of that kind, be placed in the power of the House of Lords. We have looked through the different Budgets while the right hon. Gentleman was speaking, and we find that in 1862, when my right hon. Friend was Chancellor of the Exchequer, he did allude to the tea duty; but since then it seems not to have been the practice to allude to it at all. [Mr. DISRAELI: It was included in the Resolutions upon the Table.] Of course it must be included in the Resolutions upon the Table, and it was included this year; but the difficulty I got into was that the Customs had overlooked it, and had not sent in the Resolution. [*Opposition cheers.*] That is the fact. I was not aware that it was news to hon. Gentlemen opposite, or I might not have been so frank in volunteering the information. In fact, it is renewed every year; but it has not been the practice, as I am informed, to mention it in the Financial Statements, and, indeed, to do so would merely be unnecessarily confusing the matter. We have really other matters now to deal with to which our minds may well be applied without unnecessarily wasting time on such trivial subjects. If the right hon. Gentleman is right in what he says, he entirely proves my case. He charges the Government with having laid the whole weight of the new burden on direct taxation, and having done nothing with regard to indirect taxation. If his statement is correct, he has put himself out of court, because if he chooses to consider the tea duty entirely a new tax, the effect will be that while we are putting the 2*d.* income tax on as a direct tax, we are putting a much larger sum upon indirect taxation in the shape of tea duty. So that I am doing entirely what the right hon. Gentleman would do, on his own showing. Though I dispute it altogether, it is a very good argument, at least as an answer to him. The right hon. Gentleman speaks of our gloomy prospects for the future. Of course, every hon. Gentleman may deal with the future as he pleases; but there is one item on the right hon. Gentleman's account against which I must respectfully enter my protest. He has already in his mind's eye a large sum to be awarded against us under the Treaty of Washington; but I ask the right hon. Gentleman whether he had not, before speaking so confidently on the subject, better wait until that sum is awarded? Then as to my statement as to the respective amounts of direct and indirect taxation. I assure the right hon. Gentleman and the House that there was no collusion between the hon. Member for Derby (Mr. M. T. Bass) and myself in reference to the question which was put to me; and it appears to me that the whole subject resolves itself into a question about words. The House will remember that I was cautious, and did not attempt to say how much there was of direct or indirect taxation, because there are no terms so ambiguous as direct and indirect taxation, or which are understood in so many different senses; but I explained the sense in which I used the terms, and any hon. Gentleman who does not think that I gave a correct definition of direct and indirect taxation may make a calculation for himself. I only attempted to show how, under a certain definition of the terms, the taxes might be arranged. Other hon. Gentlemen may divide the taxes differently, and I do not pretend to assert that my arrangement is absolutely perfect; but I think it desirable, in making an explanation on points such as these, to define the sense in which the terms are used. When I made the statement in question I certainly fell into an error in charging the £500,000 raised on railways to direct taxation, for that sum, according to my definition that an indirect tax implies that the person who pays it has some means of recovering it from the community, ought to be charged on indirect taxation. I am told by the First Lord of the Admiralty that a correction ought to be administered to the statement of the right hon. Gentleman with regard to rates, and that £20,000,000 would be nearer the mark than £36,000,000 when the proper deductions had been made. [Mr. DISRAELI: I spoke of the amount to be added to direct taxation.] I am informed that some of it is not taxation at all, but property and other things of a miscellaneous nature, all of which are to be found in my right hon. Friend's Report. I think I have disposed, as far as it is necessary for the purposes of this debate, of all the subjects to which the right hon. Gentleman has alluded, except one, and that is the most important. Even that, however, is of the most shadowy nature. The right hon. Gentleman makes a charge against the Government of this kind. He says that we brought forward a system of taxation to meet what we thought the deficit, and he says that we divided it into three parts —namely, taxes on articles of consumption, taxes on realized property, and the income tax. He says that after having spoken strongly in favour of our taxes upon articles of consumption, we withdrew those taxes successively, one on one day, and one on another, and that he considers our conduct utterly inexplicable, and wants to know why we did not go on with those taxes. This is just one instance of the artificial and technical way in which the right hon. Gentleman treats this question. Now I am a plain, outspoken person, and do not deal in these reservations. When I know a thing very well, I do not pretend that I do not know it, and ask my audience to join with me in the pretence. It is quite true, as I said in arguing in favour of the Budget, that I had struggled hard to avoid the twopenny income tax, and for the reason which the right hon. Gentleman gives — namely, because it does pinch the lower-middle class. It is perfectly true that the Government thought it better to divide the taxation in the manner we did, and to place a tax on articles of consumption to which everyone would contribute a little, and no one much; we being of opinion that a tax on commodities is paid by the consumer and not by the producer. We thought that the income tax might be called on to bear a part of the expenditure, which was of a transitory nature; and we thought that, the income tax being justly objected to as falling heavily upon professional and precarious incomes, it was reasonable to accompany it with some other tax, not of a heavy nature, upon realized property. But why should the right hon. Gentleman beat about the bush and ask why the Government did not go on with the measures they proposed? Every Member of the House knows why we did not go on with them. We found that the proposals were distasteful to the House, and that the House did not approve of them, and as the House is the master and judge in these matters, we deemed it our duty to withdraw these measures and endeavour to substitute others of which the House would approve. Had we not in some way or another provided for the expenditure, of course we should have had to abandon our plan of Army reform, to which we attach the greatest importance; and for the sake of which we have made, as the House must be aware, a very heavy sacrifice. Therefore, we were not going to act like petulant children, and, because the House did not approve of part of our measures, amounting to £800,000 of the taxation, we were not going to throw everything into confusion because we could not have altogether our own way. We should have much preferred what we originally proposed; but the House thought differently from us, and we had to consider what the House would accept to meet this transitional expenditure. We selected a plan in which it has happily turned out that we fairly divined the feelings of the House, and acted in the manner which they prefer. Such being the case, what is the use of the right hon. Gentleman standing up and saying—"When you obtained a majority why did you not go on? How inexplicable is your conduct! Why did you not explain the motives which actuated you?" The reason is as plain as daylight. Like sensible people, we did not attempt to do what was beyond our power. We ascertained what was the feeling of the House, and we endeavoured to conform to that feeling. That is all that I think it necessary to say upon this subject. I am quite sure it will be much better for the House to accept the proposal for a large increase of the income tax than to allow the measure of Army reform to fail for want of the means to carry it out; and we adopted it as the best method that was open to us under the circumstances, as practical men, anxious to do the best we could for the country. At any rate, I think I may say it was much better than the proposal suggested by the right hon. Gentleman the other night, but which he has not thought fit to repeat now. Though he is shocked at the incidence of the income tax, he himself suggested these three proposals —first, that we should abandon the attempt to get rid of purchase, which he himself was the means of inducing the House to agree to the principle of—and thus save £600,000. Secondly, that we should impose a penny income tax to meet £1,500,000 more; and thirdly, that we should get the remainder—£900,000 —somehow or other—and he said the Chancellor of the Exchequer must be a poor hand at his business who could not find that amount somehow or other. It is quite easy for the Chancellor of the Exchequer to find money if he can persuade the House to adopt his views and go with him in his method of finding it; but he must be a much more clever Chancellor of the Exchequer even than the right hon. Gentleman opposite, who can find money by taxes which the House is determined not to impose. I think, upon the whole, we have not done so much worse than the proposition of the right hon. Gentleman, which would really have been to abdicate our functions altogether, and which would have left £900,000 to be provided for "in some way or other." We have another instance of the kind in the right hon. Gentleman's conduct with regard to the Abyssinian War. He had the same opportunity that he has suggested to us, and if it was so very desirable that we should have an exact balance between direct and indirect taxes, why did he not in 1867, instead of putting on the very thing he regards now with such horror—an additional 2*d.* on the income tax—take one half out of the tea duty, the other half out of the income tax? The truth is, Sir, this is little better than trifling. I hope the House will, without further delay, go into Committee on this substantive measure. I am only sorry that I should have been obliged in what I considered to be the discharge of my duty to delay the House so long.

MR. FAWCETT said, he did not think the House would be content to let this question rest on a mere *tu quoque* bandied between the two Front Benches. When the Budget was first introduced he ventured to make some observations upon it; but he should not have done so if he had not thought that the principle on which it was founded were both unjust and dangerous. The Chancellor of the Exchequer had said, with considerable truth, that the right hon. Gentleman the Member for Buckinghamshire knew perfectly well why the Government had abandoned their first Budget. They had abandoned it because the House had decided against it. That, no doubt, was true; but he went on to say—and this was the point to which he wished particularly to direct attention—that the House had approved the present Budget for an additional 2*d.* to the income tax, and had shown this by their vote. Now, he distinctly asserted that if the Government had given them an opportunity of expressing a free, unbiassed opinion upon it, the House would not have approved that proposal. The Government had a majority; but it was perfectly notorious how they obtained that majority. Members were obliged to sacrifice their financial principles to a political exigency. Hon. Members, friends of his, came to him and said—"We know it is unjust to throw the whole of the additional and exceptional expenditure on one class, the minority in the country, but the Ballot Bill and the Army Bill remain to be considered, the Government have advanced far enough in their concessions, and if they are defeated they will resign or dissolve." That was the way in which this Budget had been carried. He should not mind challenging the opinion of the House upon this point if the Prime Minister would get up and say the result should not affect the question either of resignation or dissolution. He objected to this Budget on two distinct grounds. He said it was unjust, financially considered, and the principles it contained were fraught with the greatest peril to the future of this country. What was the justification for throwing the whole additional expenditure on the income tax? The only justification was that avowed by the hon. Member for Waterford (Mr. Osborne), when he said that the minority in the country had demanded this additional expenditure, and therefore it was fair that they should be charged with it in the shape of income tax. If that argument were pushed what was the dilemma in which it would land the Government? If they accepted this argument they had betrayed the confidence of the country; they did not represent the majority of the country; they did not do what the majority wished, but they had endeavoured to carry out the wishes of the minority. If, on the other hand, the cry had not come from the minority but from the majority—if the demand for this expenditure had proceeded from the whole nation—the Government, in sanctioning it, were bound in all justice to make the whole nation more or less contribute to it. But it was said it was fair to throw the whole of this additional expenditure on direct taxation. Now, the figures of the Chancellor of the Exchequer as to the relation between direct and indirect taxation were perfectly fallacious, because he left out of consideration the £20,000,000, £25,000,000, or £30,000,000 mentioned by the right hon. Member for Buckinghamshire which were contributed in the shape of local taxation, and which undoubtedly fell on the payers of income tax. But there was another argument — the time for raising the question of adjustment had gone by, for what had they done? During the last two or three years there had been a surplus; then was the time for those now pressing the policy of re-adjustment to say the balance between direct and indirect taxation was unequal; it was not fair to reduce direct and indirect taxation contemporaneously; but until the balance was adjusted every farthing should go to the reduction of indirect taxation. When there was a surplus they reduced direct and indirect taxation together; but when there was a deficiency the Government laid down the doctrine that it was impossible to re-impose any indirect taxation, and the whole additional burden must be thrown on direct taxation. This implied great injustice to the minority, on whom direct taxation fell. If the House did not protest seriously and solemnly against the doctrine which the Budget contained — that all exceptional expenditure should be thrown on the income tax, they would encourage the democracy in every town to demand money from the Government which would be called exceptional expenditure. £1,000,000 or £2,000,000 would be asked for State emigration. And how could the demand be resisted when the expenditure was thrown entirely on the minority? Then, again, an assembly of working men might call out—contrary to all the principles of political economy—and when he had the opportunity he did not hesitate to say that such a proposal was contrary to all those principles—that work to the unemployed should be supplied by the Government. What was the most stringent argument that could be advanced against such a proposal? Why, that it would require £2,000,000, £3,000,000, or £4,000,000, which meant an additional tax on tea, on tobacco, on beer. But how could this lesson be enforced when the Government said that all this additional expenditure was to be thrown on the income tax? Supposing at the beginning of the present Session, when the Secretary of State for War had submitted his extravagant War Estimates to the Prime Minister, the right hon. Gentleman had had to face this contingency, and had said—"You call upon me to spend £3,000,000 more than ordinary; you must, according to the principles which I have enunciated, pay this sum partly from direct and partly from indirect taxation. Popular Minister as I am, I cannot and will not ask the House of Commons to re-impose taxes upon the necessaries of life; revise your Estimates and reduce the expenditure." If he had said that, one of the most effectual guarantees would have been given for economy. If the Government had remained faithful to their principles that additional expenditure should be partly provided by direct and partly by indirect taxation, they should not now have had to deplore such waste and extravagance. This view of the case was all the more important because at the present moment every State in Europe was spending far more money than it could afford. We were now entering into a wicked rivalry in arms. Seeing that we were this year spending £3,000,000 more than we spent last year, Prussia would say—"We cannot reduce our armaments;" and the same bad example would influence embarrassed Italy, involved Austria, together with France and Turkey. Thus British extravagance would induce other countries in Europe to run more rapidly upon the road to ruin. If ever there was a time when it was of importance that this House should check extravagance and practise economy it was now, when Europe was piling up such a debt as had never before existed. But the financial policy of the Government tended fatally to relax the checks upon economy. He had received numerous letters from clerks and others, with incomes of from £150 to £200 a-year, upon whom the increased income tax would fall most heavily. No persons were carrying on so severe a struggle in life as they were. They had to maintain a respectable position; upon them fell the whole concentrated force of local taxation; the clerk, who was making every effort to insure his life and maintain a wife and children, had not a single shilling to spare; yet the House was asked to impose upon him an additional income tax which he could not help paying. This was one important distinction between direct and indirect taxation. If you increased the price of beer, sugar, or some other luxury, a man by increased thrift might avoid the tax, but he must pay a direct impost. Thus direct taxation was a tax upon prudence. Ministers were asking the House to lay down the doctrine that in all time to come all exceptional expenditure should be borne by income tax payers without any attempt to adjust the enormous inequalities of that tax. They were going still to lay the same tax upon fixed and upon fluctuating incomes. Unjust as such a system appeared before, it would be doubly unjust now that the amount of the income tax no longer remained permanent; but whenever an extra million or two was wanted it was obtained by increasing this tax. He ventured to say, in conclusion, that no words which would fall from him could tell the skilful financiers who sat on the Treasury bench half as well as they knew themselves that in laying down the principle that all exceptional and temporary expenditure was to be borne entirely by a minority of the country, they were sanctioning a doctrine which was unjust in principle, and which was fraught with the greatest peril to the future of this country.

MR. NEWDEGATE expressed the pleasure with which he had listened to the hon. Member for Brighton (Mr. Fawcett). For a great length of time the opinions enunciated in that speech had been virtually tabooed in this House, first by an intense prejudice, excited by agitation, and then by the fact that the commercial treaty with France precluded action with respect to an essential portion of the tariff of this country; but now that the French treaty had come to an end he trusted that the House of Commons would avail itself of the freedom it had obtained, and of the opportunity to consider the whole system of taxation adopted in this country. Under the French treaty more that £500,000 worth of duty was foreclosed, not merely with reference to France alone, but with reference to all the countries with which England had treaties, containing the most Favoured Nation Clause. He knew it was idle to attempt to hasten public opinion, but also that the common sense of the country, now liberated, would compel a re-consideration of the financial system of this country. He wished to point for a moment to the example of the United States. The prosperity of the United States was largely growing under a financial system which was totally opposite to our own, for half the general taxation of America was derived from Customs' duties, and the imposts were increased as revenue was required. Did their trade decrease in consequence? Quite the reverse. The constant flow of emigrants into the States showed that the American financial system was not adverse to labour, or viewed with dislike by the labouring classes. The United States, under their system, were reducing their National Debt at the rate of £40,000,000 a-year, while England had only been able to reduce hers at the slow rate of about £1,000,000 a-year on the average of the last 25 years. He therefore denied that the financial system of the United States was either absurd or burdensome to the people.

Mr. OSBORNE: The peculiar hour of the night is a guarantee that I shall not trespass upon the House for more than a few minutes. Indeed, there is not much to be said, for this is a *post mortem* examination of a Budget which has committed suicide, and has been buried at the cross-roads; but, where it not, I think there is a moral to be drawn from the discussion of to-night. I must say that the apology for—I can hardly call it defence of—his treatment of his former Budget made by the Chancellor of the Exchequer is somewhat unsatisfactory. He said that the right hon. Gentlemen who sit beside him were not petulent children; but they may be something worse — they may be spoilt children; spoilt by this obsequious majority which sits at their back, and is ready to be dragged through any mire at the bidding of the Government. I ask on what plea — I ask the hon. Gentleman below me, whom I hear grumbling — on what plea is it to be said that the late Budget of the Government was reprobated by their own party? The only time there was a division they had a majority in favour of their well-known "*lucellum*" motto; and, although, no doubt, some portions of that Budget were not popular, from what I hear of the private opinions of those who sit around me, I believe the state of feeling on this side of the House was such that the Budget would have been passed if it had not been withdrawn. The real reason it was withdrawn was this. There was an agitation in the eastern parts of this Metropolis; there were meetings; there were the rumblings of a storm; and what I deduce from these things is, that if these unfortunate clerks, who are to be saddled with the 2*d*. in the pound of extra income tax, wish to get it taken off they must imitate the example of their co-citizens, the manufacturers of matches. Let them assemble in Palace Yard; let them threaten to pelt the right hon. Gentleman the Chancellor of the Exchequer; let them make the Government unpopular, and you will soon find that the extra 2*d*. of income tax will be deducted with the same facility and alacrity that signalized the withdrawal of the matchbox tax. This is really the moral to be deduced. Do not talk to me about petulant children. Was ever such a defence made for a Government? That they will do what the House of Commons like, that they have no principles of their own, and that they are acting on principles enunciated by others. If ever there was a speech calculated to drag a Government into contempt, it was the lame apology made to-night by the Chancellor of the Exchequer. I do not want to go into this Budget. I will not discuss these points; but I will say, joining here with the hon. Gentleman the professorial Member for Brighton, that you never can have a reduction of taxation unless you take back your Estimates and reduce them. Do not talk to me of the expression of opinion evoked from the country by the proposed abolition of purchase — the little bit of red rag you are holding out to the unfortunate people. Let them come to pay for it, and you will see the feelings of the country. There never was such a project brought before the House of Commons. We are actually asked, as the right hon. Gentleman opposite (Mr. Disraeli) has said, to vote an ill-defined, indefinite, and unfathomable estimate of a project which has never yet been laid upon the Table of the House. I have no objection to offer against that being met by direct taxation; but I have an objection against an ill-formed plan being foisted on the country under the pretence of Army regulation and re-organization, and that the country should be left in total ignorance of what is to pay for it. I am obliged to the right hon. Gentleman opposite for having revived the discussion of the subject; I think it wanted reviving. Till this evening we have never known why the Budget was withdrawn; but we now know that there were certain unseen influences of great men—not like the bold meetings of matchmakers in Palace

Yard—and that it was owing to these unseen influences that the Budget was withdrawn. The Chancellor of the Exchequer still says he thinks that Budget was a good one. Well, Sir, he says he is not a petulant child; no, he has come to years of discretion; and these years of discretion teach him this, that he had sooner preserve his place with our Budget than go into exile carrying his own schemes into execution.

Mr. MAGNIAC deemed it deplorable that an hon. Member professing to represent, as the hon. Member for Brighton (Mr. Fawcett) did, the interests of the working classes should enunciate such opinions as he had just expressed, and which were cheered from the Opposition benches, whence they might have been expected to come. The statement had been made over and over again that it was to be assumed, as laid down from the Treasury bench, that exceptional expenditure was, as a rule, to be borne by a minority of the country; but he had never heard anything of the kind laid down by the Chancellor of the Exchequer in the whole course of the Budget debates. He had already adduced figures which he believed to be incontrovertible, and which, when every allowance was made for differences of opinion as to what was exceptional, direct, and indirect taxation, showed that the Budget erred, if it erred at all, in favour of those paying direct taxation, and that it was an erroneous assumption that the taxation of the country was borne by a minority. Local taxation, if it was direct, usually involved direct benefits to persons of property, and those who were benefited would be the last to wish that the country should bear charges which especially formed no part of Imperial taxation.

Mr. R. N. FOWLER said, the right hon. Gentleman the Chancellor of the Exchequer had now, as he had two years ago, an overwhelming majority who were anxious to maintain him and his Colleagues in office, and therefore he might look forward to being five, ten, or fifteen years financial adviser to the country. Under these circumstances, they had a right to expect a prescience in the Budgets of the right hon. Gentleman which could not be looked for from Ministers whose tenure of office was of a more transitory character. When the Chancellor of the Exchequer came into office the income tax was 6*d.*, having been raised to that amount by his right hon. Friend (Mr. Hunt), in consequence of the Abyssinian War. That war had been sneered at, and even the Chancellor of the Exchequer himself had, in a speech delivered at the Institute of Civil Engineers, implied that no war was of much importance where there was no great loss of life. The right hon. Gentleman, indeed, had sneered at the Battle of Marathon because the loss of life there was very small. The Abyssinian War was carried on with great success and great honour to the country by the late Government, and one would have thought that the first application of a surplus would have been to reduce the income tax to the figure at which it stood previously to that war, but instead of this the right hon. Gentleman took off the duty on corn. The proposal was objected to at the time by two hon. Members of the House of high position in the City of London as merchants and bankers—the hon. Member for Hull opposite (Mr. Norwood), and by his hon. Friend the Member for Woodstock on this side the House (Mr. Barnett). Was it wise, in view of contingencies which might arise, to take off taxes which nobody asked to have taken off? Had that tax, which was not considered protective in its character, and which had been left by Sir Robert Peel when passing his great measure of free trade been allowed to exist we should not be in our present difficulty. Had the Government looked forward two years ago they might have seen they would have to deal with this question of purchase, and they should have maintained the indirect taxation to meet the inevitable outlay. The hon. Member for Brighton (Mr. Fawcett) had pointed out most forcibly the evil of this Budget, that it introduces the principle of depending on a source of taxation which pressed entirely upon the upper and middle classes. For his own part, he had supported the Government against their own supporters, as, though he should rather have expected increased Estimates for the Navy than for the Army, yet it was a serious thing when a Government on its responsibility, and knowing so much more than hon. Members, asked for an increase in the Army Estimates for the House to refuse the demand. After abortive attempts at indirect taxation, the Chancellor of the Exchequer withdrew his Budget, and introduced one distinguished, in the words of the right hon. Member for Buckinghamshire, by a "sweet simplicity." This was simply a 6*d.* income tax, which, though it might not press heavily on Members of that House, who were all comparatively rich men, weighed with crushing force on the lower middle class—on persons with small incomes—on clergymen, for instance, who with, say, £250 per annum, had to educate a family; on medical men, and on small tradesmen. The right hon. Gentleman last year took off the sugar duties. In regard to that article persons might abstain from or economize its use; but they could not evade the full weight of the income tax. There were many, especially among the mechanic class, receiving £2 a-week, who yet had not to pay income tax. But the classes he had described had no alternative but to pay. He hoped the Government would give their serious attention to this subject with a view to reform, as he thought there were financial difficulties before them, particularly the expenditure which might be required in connection with the modification of the licensing system, which might entail severe demands on the Exchequer. He believed, in conclusion, that whenever they met their constituents, those on that side of the House who had protested against this large addition to so unpopular a tax would have no cause to regret the course they had adopted.

Mr. ILLINGWORTH said, two questions had been raised—increased expenditure and the mode of meeting it. He thought it would have been well if the Government had in the first instance taken back their Budget for re-consideration; but, at the same time, he did not see that there was sufficient ground for objecting strongly to any of the items with the exception of that intended to pay the cost of abolishing purchase in the Army. He thought the Government had been hardly treated by those who, having instigated the expenditure, wished to back out when the time came to pay the piper. In regard to the mode in which the burdens of the country must be met the question of taxation was one of science, and he believed the income tax was a permanent tax, the objection to it that it was inquisitorial having nothing to do with the amount. He did not, however, believe that precarious incomes should be taxed at the same rate as incomes arising from real property. He believed in the future no course would be open to a Chancellor of the Exchequer but to have recourse to direct taxation, that mode being the only one that was rational and scientific. If it came in the form of a poll tax he believed there would be no objection to it. If the franchise of counties was on a level with that of boroughs—for he agreed that that House was composed too entirely of rich men—they would have heard less of the question of purchase than they had done, for he was convinced that the people of the country wanted the Army brought back to the people, and whatever cost the process might involve they would support it.

Mr. HERMON said, there would have been less objection to this increase of the income tax if it had been proposed openly in the first instance, instead of being included in a second Budget after the first had been rejected by the House. But the country was naturally dissatisfied with the vacillation of the Government; with its change of front on so many occasions, and then placing a burden on a class which was so little able to bear it. It was a great inconvenience to professional men to have to pay their income tax in the first quarter of the year, while those who received their incomes from the public funds only paid it on receiving their dividends. If the Chancellor of the Exchequer did not promise that this would be remedied in future he should move an Amendment in Committee that the income tax should be collected twice a-year instead of once. The right hon. Gentleman had promised that employers would not have to return the incomes of their *employés*. But he (Mr. Hermon) had been inundated with letters complaining of this practice. [Mr. Baxter said, the hon. Member was mistaken.] It had been insisted on in a worse form than that at first intended, for the *employé* was surcharged, and the only remedy for the amount being placed too high was to bring a certificate from the employer. He did not know who was responsible for the Inland Revenue; but he hoped that in future the Department would not pursue a course which caused so much annoyance.

Mr. SCOURFIELD reminded hon. Members opposite that a standing Army was to a great extent necessary, owing to the existence of a mercantile class in this country, and of large mercantile interests abroad, which often involved us in difficulties. What, for example, had owners of property to do with the Abyssinian War or the *Alabama* dispute? He thought the House should have learned enough from the past to take warning with regard to financial legislation for the future. He believed that the shilling duty on corn was the victim of metaphor. It was called "the last rag of Protection," and so was abolished, though it was not practically felt, and produced £900,000 a-year. Again, the removal of the last shilling upon timber had been of no benefit to the trade. If they removed taxes of which no one complained, they were necessarily compelled to replace them by taxes which were objectionable. The Chancellor of the Exchequer was almost too clever, and removed himself a little too much from the sympathies and understandings of ordinary men. He took the liberty of recommending to the right hon. Gentleman the example of the Irish gentleman who said he was obliged to drink two bottles of port wine every day to prevent himself from being too witty, or the conduct of the advocate who drank a pot of porter to bring down his intellect to a level with that of the Judge's. In the same way the right hon. Gentleman should try to put himself more on a level with ordinary men. For his own part he did not wish for any reversal of principles in the taxation of the country. All he desired was moderation and caution. For example, it had been laid down that when once a duty had been entirely repealed it could never be reimposed. If so, it was clearly desirable to reduce and not entirely abandon duties.

Mr. Alderman LUSK said, that as an independent Member he looked upon the discussion initiated by the right hon. Gentleman opposite as waste of time. He must say he thought Ministers had not been treated fairly, because when they proposed their different schemes for carrying on the services of the country, every individual plan was objected to by hon. Members opposite, who, however, were not prepared to suggest anything better. The income tax was no doubt very disagreeable, but the Government, in the end, had no honourable alternative but to increase it, because the House would not allow them to do anything else.

Sir GEORGE JENKINSON denied that those who sat on his side the House were responsible for any waste of time. The most inaccurate statements had been made with regard to local taxation, and he would not allow them to pass without denial. An hon. Member had stated during the evening that local taxes were entirely for local benefit—the benefit of gentlemen with estates and the owners of one class of property only. Such a statement was altogether erroneous and misleading. For example, the charges for gaols, the Militia, lunatics, education, and the maintenance of turnpike roads, were for the benefit of all classes of the community, and fully justified the contention that a great portion of those charges should come from Imperial sources, and not from the locality only. In a Return issued by the present First Lord of the Admiralty, £42,000,000 were set down as the amount which was not charged on real property; and the amount of taxation on real property was stated at £7,000,000. Nothing was said of the £16,000,000 notoriously levied by local taxation on real property, which would give a total of £23,000,000. Admitted. But from the £42,000,000 there should be deducted £32,000,000 for Excise, Customs, Post Office, and Assessed Taxes, to which owners of real property contributed quite as much as the owners of personal property, and the result would show really £10,000,000 as against £23,000,000 on real property. When these figures were fully gone into the gross inaccuracy of such statements as those to which he alluded would be shown. The Chancellor of the Exchequer said the Government had withdrawn their various financial propositions because the House disliked them. But was it not the duty of Ministers to guide the House? Was the Ministry to be led by men below the gangway? The right hon. Gentleman laughed at this; but the country would not think it a joke. The Chancellor of the Exchequer, in the course of the debate on the Motion of the hon. Member for Westminster (Mr. W. H. Smith), wished the Opposition joy of the votes they were about to give on the Motion disapproving of the Budget. He (Sir George Jenkinson) might return the compliment, and wish the right hon. Gentleman joy of the demonstration which awaited him in Westminster Hall, and which he was afraid to face. It was not a matter of congratulation that a Cabinet Minister should be afraid to walk through Westminster Hall to the House of Commons. He wished the right hon. Gentleman joy of having to withdraw his Budgets one after another; but he should be sorry to be in the right hon. Gentleman's place. He should also wish the Chancellor of the Exchequer joy when he went before the country, and hoped it would be remembered that the right hon. Gentleman had spoken as follows in reference to the first financial proposal:—

> "I have struggled in preparing this Budget to make the increase of the income tax as light as possible, because I know how bitterly it pinches the lower middle classes."

And, again—

> "Therefore hon. Members will see that if this extra expenditure were thrown upon the income tax, so far from the difficulty being solved, another and a greater one would be created."

They had now to deal with that greater difficulty, in the shape of a tax which was hateful to the right hon. Gentleman himself, to the great mass of his supporters, and to the country.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 6 *agreed to.*

Mr. HERMON moved a new clause making the income tax payable in two half-yearly instalments—one in January and the other in July. It was very hard that clerks, small tradesmen, and other persons with only £200 a-year should have to pay a whole year's income tax in one sum, whereas the capitalist paid his in two instalments by deduction from his half-yearly dividends.

New Clause (Income Tax to be collected half-yearly,) — (*Mr. Hermon,*) — *brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

The CHANCELLOR of the EXCHEQUER said, it was impossible to agree to the clause in its present shape, because the whole system and structure of the income tax were based on the principle of collecting the tax once in the year. The matter was carefully considered and settled in 1869. The sums collected from the smaller income tax payers were so exceedingly small as to be hardly worth the collector's going twice to them. A man with an income of £200 would pay altogether, at 6*d.* in the pound, £5; and it was monstrous that the collector should go twice in the year and collect £2 10*s.* each time. They must consider, not only the person who paid but the expense of collection; and it was not the interest of the taxpayers themselves that that expense should be unduly increased. No doubt people of small incomes would find it inconvenient to pay any tax; but then if a man's income was small the amount of the tax demanded from him was small. The rule of collecting the tax once a year was now perfectly settled and well understood, and was acquiesced in by the country, and he trusted that this clause would not be pressed.

Colonel JERVIS hoped the words that had just fallen from the Chancellor of the Exchequer would be duly pondered over by the income tax payers The right hon. Gentleman told them that because a man was poor it was really too much trouble for the tax-gatherer to go to him twice a-year, and that about the time when his Christmas bills came in and his rent fell due, it did not signify much whether such a man had to pay £5 or half £5. But with many people a £5 note was not a thing to be laughed at. He had seen many men who worked very hard to keep their families in decency, and to whom the having to pay a £5 note to the Government, in addition to their other charges, was a very serious thing indeed, and when they insisted on taking the hard earnings of those struggling people, it really ought not to be too much trouble for the taxgatherer to go to them twice a-year. He hoped that every man who paid income tax on his small income would remember the words of the Chancellor of the Exchequer.

Mr. FIELDEN hoped the hon. Member would press the clause to a division. The Chancellor of the Exchequer said it would disarrange everything to resort to the method of half-yearly collection; but a greater financier than he, in introducing that tax, had laid down the rule that it should be collected, not half-yearly but quarterly. And at that time it was not thought a "monstrous" thing to collect it every quarter. He maintained, rather, that the really "monstrous" thing was to call upon the taxpayers just when the pressure of their yearly and half-yearly bills and rent came round, to pay on the 1st of January not the money necessary to carry on the affairs of the country for the current quarter, which was surely as much as Government required, but the whole expenses of the Government between that date and the 31st of the following December. There was no justification at all for that course. He did not see why the Government should demand more from the taxpayer than was necessary to pay its way for the current quarter. As to the tax being scarcely worth collecting from those poor people, the right hon. Gentleman's words would, he hoped, be remembered—and he might, perhaps, be asked, if it was not worth collecting, to take the tax off those persons altogether.

COLONEL STUART KNOX lamented that the feeling of the right hon. Gentleman for the lower middle classes whom he had said were so bitterly pinched by the income tax did not prompt him to accede to the proposed clause. The tone of the right hon. Gentleman was now very different from what it had once been—he thought he remembered the time when the right hon. Gentleman deemed it expedient to collect five quarters in one year. The right hon. Gentleman had already taken back and amended his Budget twice; and he (Colonel Knox) advised the right hon. Gentleman to take it back for the third time, and to re-model it in accordance with the views that had been expressed by a large number of hon. Members. The Government might gain ample time to enable them to adopt this course by withdrawing their Army Regulation Bill; and if that suggestion were followed, there would be no necessity to tax these poor people at all, while their supporters would follow them into the lobby quite as readily as they did at present.

VISCOUNT BURY said, he should vote for the Motion if it were pressed, because he believed it to be founded upon justice. The object should be to make taxes fall as lightly as possible on every member of the community; but this income tax fell as heavily and inconveniently as possible, and especially upon those whose tax the right hon. Gentleman said was hardly worth collecting. To make a tax of this kind just, it must be levied at a uniform rate over a long series of years. He recollected when the right hon. Gentleman at the head of the Government used to say that his object was to get rid of the income tax as soon as possible; but now that kind of speech was altogether abandoned. Now the Minister relied only upon the income tax—as soon as there was any surplus at their command they abolished some indirect tax; and the result was that when the rainy day came they were compelled, as in the present instance, to fall back upon the income tax as their only resource. Such a tax, even if it was necessary, should not be made intolerable. These smallsums which the Chancellor of the Exchequer thought were hardly worth the trouble of collecting were of great importance to those who had to pay them.

MR. ALDERMAN LUSK did not think that the subject under discussion was one of great importance either one way or the other. He had not heard any complaints of the tax being collected only once a year—especially as generally people were not pressed for immediate payment. They could pay in February or March; and he even knew some people who at this date had not yet paid the January tax.

MR. CUNLIFFE BROOKS said, he represented a large constituency, the labourers, mechanics, and small farmers in which would feel severely the considerable increase in the income tax now proposed. He trusted that the hon. Member would persist in dividing the Committee on a proposal which he believed to be just and reasonable.

MR. MUNTZ opposed the clause, on the ground that it would interfere with the arrangement entered into two years ago under which all the income tax was to be paid in January.

LORD GARLIES said, it certainly was not a matter of indifference to his constituents that they should have to pay the year's tax at one payment. He hoped that the Chancellor of the Exchequer—bearing in mind his own words of that evening, that he was not a "petulant child," and would rather act on the opinion of the House than on his own opinion—would re-consider this matter.

SIR JOHN PAKINGTON hoped his hon. Friend the Member for Preston

(Mr. Hermon) would not allow himself to be discomposed by the laughter of the Chancellor of the Exchequer, for his hon. Friend, though a young Member of that House, must have observed that Gentlemen very often affected to laugh at arguments which they did not find themselves able to answer. He was not at all surprised that his hon. Friend the Member for Preston had raised this question; but he was surprised that for the last few years the country had submitted to the present mode of payment of the taxes. The present Government was so proud of what had been called that evening their "obsequious majority"—and he thought that majority had never proved itself so obsequious as it had done on Monday last—that they seemed unconscious of the extent to which discontent was smouldering throughout the country at their recent measures. There was no point on which greater dissatisfaction was felt than the present mode of collecting taxes. The present Motion referred only to the income tax; but two years ago the Chancellor of the Exchequer had introduced a new plan of collecting, not the income tax only, but the assessed taxes and other imposts, which were now required to be paid in one payment instead of in two instalments. He was astonished at the language of the hon. and learned Member for Stroud (Mr. Winterbotham), who said—if he understood him rightly—that there was great convenience and advantage in this system of paying taxes. Much had been said that evening about poor people, to whom it was an intolerable hardship to have these taxes pressed out of them at one time; but it must not be supposed that the hardship was not felt by other classes than the poor. It so happened if there was one period of the year more inconvenient than another for the payment of taxes in a lump it was that period of the year at which these taxes were collected. He did not believe the country would long bear the present system of collection; it was complained of as a grievance; he had heard it from all quarters; and he would, therefore, cordially give his hon. Friend the Member for Preston his vote.

Colonel STUART KNOX said, he was glad to see the Secretary of State for War in his place. A great deal had been heard lately of "the War Office scandal," and surely this was the time to get up and explain what his intentions were with regard to the future collection of the income tax in the War Office. The late Commissioners had held high posts in the War Office, and some explanation was due to the character of the Department. ["Question! question!"]

The CHAIRMAN said, he was unable to discover the relevancy of the hon. and gallant Member's observations to the Question before the House.

Colonel STUART KNOX made a few further observations, which were rendered inaudible by cries of "Question!"

Mr. LOCKE, who had been alluded to as representing a constituency which did not contain any poor people, said, he regretted exceedingly that he had as many poor constituents as most hon. Members; but he had been informed by a gentleman who understood this question better perhaps than any person in the House, that the alteration now proposed would not be of any benefit whatever. He was told that with regard to the payment of this tax in January, that it never was paid at that time, but that if this introduction into the Bill was insisted upon there would never be any relaxation at all. He was not prepared to say whether that was right or wrong; but before this Bill was drawn some consideration was given to the question of the term of payment; and if there had been any advantage in dividing the payment between January and July it would have been considered and adopted.

Mr. G. B. GREGORY, although not a metropolitan Member, wished to be allowed to say, on behalf of a large number of persons with whom he had been long connected—the clerks—that the collection of the tax from such people living on small salaries and having to keep up an appearance was a very considerable hardship. The Chancellor of the Exchequer had taken back his Budget several times already; and he thought it would be well if the right hon. Gentleman would take it back again and reconsider it with reference to this tax.

Mr. M'LAREN said, the income tax was collected yearly in Scotland, and no complaints had been made. He had happened to be in the Income Tax Office in Edinburgh a short time before Parliament met, and had seen a Return from all the counties in Scotland, which showed that before the end of January

97 per cent of the income tax for all Scotland was within the coffers of the Chancellor of the Exchequer. The fact was the course of legislation was rather to collect the taxes in one sum, and within his recollection the poor rates had always been so paid.

LORD GARLIES said, he was fully aware that the practice in Scotland was to collect the income tax but once a-year. He thought, however, that it would be better for this country if the Chancellor of the Exchequer would allow himself to be governed by the good old English custom in this respect.

Question put.

The Committee *divided:* — Ayes 37; Noes 76: Majority 39.

Bill *reported,* without Amendment; to be read the third time *this day,* at Two of the clock.

ARMY REGULATION BILL.—[BILL 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

COMMITTEE. [*Progress 15th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Sale of Commissions prohibited after a certain day).

COLONEL ANSON moved, in page 1, line 24, leave out "on exchanges." The hon. and gallant Gentleman said, he had been in hopes that in a Bill which he might fairly say would inflict the greatest injury that had ever been inflicted on any body of men in this world, Her Majesty's Government would have tried to make the alterations, supposing them necessary, as little onerous as possible to the officers of the Army. But it appeared they had no intention of doing anything of the sort. The effect of the Amendment which he proposed would be to allow officers to exchange from one regiment or one station to another. It was argued that the insertion of the words "or exchanges" would prevent any money passing between the officers of different regiments; but if that were done exchange between officers would be virtually stopped, and before the House came to that determination it should be considered whether the State suffered by the present practice. It might be said that in the Prussian Army there were no exchanges; but it must be recollected that in that Army there was no foreign service. Each *corps d'armée* was located in a certain district, from which it never moved. In the English Army, however, the case of the officers was entirely different, and the hardships they had to endure ought to induce the House to treat them tenderly. Although they were sent to every variety of climate the State had always been able to secure officers who were thoroughly able to do their duty in each place. Because, if after serving a year at any post an officer found it did not suit his health, he could exchange with another officer, and by that act the State had been benefited considerably, because it secured the services of a willing man. In his own case he was serving in India during the Mutiny and was promoted into a regiment that was in England; but being desirous of remaining in India until the Mutiny had been suppressed, he exchanged with an officer who was failing in health and anxious to return home. In a former debate he made use of the expression "officers' rights," and he was taken to task for the expression rather more severely than was necessary by the hon. Member for Longford (Mr. O'Reilly). He admitted that they had no rights, but only certain privileges according to the custom of the service, and he submitted that it would be absurd to deprive officers of the privilege of exchanging and to compel them to go to climates in which their health would suffer. He could not understand what advantage was expected from the forbidding of exchanges, for there was absolutely no harm in money passing between two officers when both parties were benefited, and the State was better served. Hitherto the great objection had been that officers exchanged to sell; but assuming that purchase was abolished, that objection was removed. The only possible reason for an exchange in future would be a consideration of health or for family reasons, or because a poor man was unable to serve in England; and the fact that officers were subjected to a penalty on account of such exchanges would be sufficient to prevent any abuse of the practice. During the debate on the second reading of the Bill, the right hon. and gallant Gentleman the Surveyor General of Ordnance (Sir Henry Storks) spoke, and arguing in favour of selection, he said he doubted very much whether it was desirable that officers should continue to serve in the same regiments, and the Financial Secretary to the War Department (Captain Vivian) had described the system of exchanges as one of very great advantage. He would remind the Surveyor General that his great Friend, Colonel Cameron, had said that under a regimental system the ideas of an officer became prejudiced and confined, and he had at heart less the interests of the service than of his own regiment, and therefore, according to his own theory, anything that tended to the circulation of officers through different regiments was a good thing. He hoped the House would consent to the Amendment.

Amendment proposed, in page 1, line 24, to leave out the words "or exchanges."—(*Colonel Anson.*)

Colonel KINGSCOTE said, he was quite ready to admit that if the Amendment were carried it would be inconsistent with the views of those who were in favour of the abolition of purchase. He, however, was opposed to its abolition, and he regretted that no division had been taken on the Motion for the second reading. He saw no good reason why the system of purchase should be done away with, and a great burden as a consequence thrown upon the taxpayers of the country. They were asked by the Government to make a great sacrifice, in order to cut down the regimental system; but he maintained they would gain nothing by it. The regimental officers had, at all times, efficiently done their duty; the system itself had never been impeached, and was cheap to the country. The Government now, it was true, proposed to give officers a certain price for their commissions; but then they gave them no idea as to what was to be done with them with regard to promotion. The result would be that the whole Army would be reduced to that dead lock which existed in the artillery. Surely the House ought to have been informed what the scheme of the Government was with respect to retirement. The principle of selection was, he might add, entirely opposed to the feelings of our officers; it was like taking a knife to cut off the heads of men who might have advanced some steps in their profession, and who might see another placed above them. It was said, too, by the supporters of the Bill that they were desirous of keeping up the *esprit de corps* and local feeling in regiments; but how, he should like to know, was that to be accomplished if a man might be passed on to another regiment and left with little or no hope of obtaining the command of his own. The Government maintained that the abolition of purchase constituted the backbone of their Bill, and that if it were not effected the whole Bill would be worthless; but he, for one, could see no reason why, even though the purchase clauses were struck out, the rest of the Bill should not be passed. Being in favour of purchase, and believing that the question was raised by the Amendment, he should vote for it.

Mr. CARDWELL said, the question was not whether exchanges should or should not be permitted, but whether the payment of money for exchanges should be allowed. Even the hon. and gallant Gentleman who had just spoken admitted that, if purchase were abolished, the system of exchanges must be abolished also. As to the House not having come to a vote in favour of doing away with purchase, he could only say that there was abundant opportunity for doing so both on the second reading and on the Motion for going into Committee. It might fairly be said that the intention that purchase should be abolished had been distinctly expressed. There was no intention on the part of the Government to prevent exchanges; but they proposed to forbid payment for exchanges. [An hon. Member: How are they to be got?] He should not take up the time of the House by quoting from the Papers which lay before him on that point; but those who were familiar with the evidence on the subject knew that some officers were very desirous to go abroad — to India, for instance — while others were anxious to serve at home. Reasonable and proper exchanges of that kind there was no intention to prohibit; what it was desired to prevent was money bargains for the purpose, which had, according to the Report of the Royal Commission, given rise to great abuses. Several hon. Members spoke highly of the regimental system, and contended that the abolition of purchase would strike a blow at that system;

but was it not, he would ask, cutting at its very root to seek to perpetuate a traffic which would admit of a man's exchanging from one regiment to another when he pleased?

Colonel NORTH said, the right hon. Gentleman seemed to imagine that the constitution of every officer was the same, and that any climate was suitable to it; but when he talked of men being willing to go out to India, he must bear in mind that they received there a considerable increase of pay. The case was very different, however, when it came to be a question of serving in China or the West Indies, and it was idle to suppose that officers would go to those countries voluntarily unless they got some remuneration. To prevent exchanges would, in his opinion, be a most cruel and outrageous measure.

Lord EUSTACE CECIL said, he was glad that the hon. and gallant Member for Gloucestershire (Colonel Kingscote) had spoken, because the Government must perceive from his speech that the views of officers, to whatever party they belonged, were entirely opposed to their scheme. As to exchanges, he quite concurred with the hon. and gallant Member for Oxfordshire (Colonel North) that it would be a most cruel hardship to the officers not to permit them. He might mention that in the course of his own service in India hs happened to be very ill, in consequence of duty performed at the Cape of Good Hope, and that had he not been able to exchange he would probably not be in that House at that moment. Some means should be provided by which officers who could not bear extremes of heat or cold should be able to exchange to a more temperate climate. The Secretary of State for War seemed to think that it was a question appertaining entirely to the purchase branches of the Army; but he believed the right hon. Gentleman was altogether mistaken. Exchanges took place in the Engineers and Artillery, as well as in the Navy, and sums of money passed just as in the purchase corps. How could you prevent money from passing in this way? No regulations could stop it altogether, and it would therefore be much better for the right hon. Gentleman to say at once that there were exceptions to every rule, and that under certain circumstances, where the health of officers was endangered, they would be allowed to exchange from one regiment to another.

Mr. CARDWELL said, he thought he had made it clear that exchanges would not be prohibited, but that the passing of money for exchanges would be. If money passed on such occasions in the Artillery or Engineers, it was only a proof how catching a vicious system was, and how necessary it was for the House, when extinguishing the system of purchase, to extinguish it altogether.

Colonel JERVIS said, he had lately retired from a non-purchase corps in which he had served for 25 years. He had been in most climates, and knew it was perfectly impossible for the Royal Artillery to serve efficiently in all our Colonies if it were not for the system of exchanges. If private soldiers and non-commissioned officers broke down in health they were invalided home and pensioned in proportion to their length of service. But as to the officers who served their country faithfully, they in a like case were to be offered the wide world. They could get leave; but when this expired they must either rejoin or find somebody to go in their place. Were these men, for whom there was no half-pay, to be told that if they broke down they would not be allowed to exchange? The Secretary of State for War said he did not object to exchanges so long as only travelling expenses were paid, and no other money passed. Now, suppose a man through ill-health wished an officer to serve in his place at some distant, and, perhaps, unhealthy station, did the right hon. Gentleman think the substitute would go out upon payment of his steamboat fare? The Government and the Committee should discuss this subject in a business-like way, and not as mere theorists. Let the Secretary for War leave the system of exchanges as it was. It had worked well, and hereafter would have no effect whatever in perpetuating the purchase system.

Colonel EDWARDES denied that all old officers opposed the abolition of purchase, though the majority might do so. As an old officer himself, he had long been in favour of the abolition of purchase *pur et simple*, his only condition being that over-regulation prices were recognized. If money payments were now allowed as a consideration for exchanges, the purchase system would to some extent be perpetuated, and he should, therefore, certainly oppose the Motion if it were pressed to a division.

Mr. J. S. HARDY observed that, though it had been stated on the part of the Government that nothing but the most rigid system of selection could prevent purchase growing up again, yet the Government were now going to allow in respect to exchanges any amount of money to be paid under the name of travelling expenses.

Viscount BURY supported the Amendment. The hon. and gallant Gentleman who proposed it (Colonel Anson) brought it forward to prevent the injury which would otherwise be done to individual officers; but the complaint to be made against the proposals in the Bill was that they would do great injury to the British taxpayers. The right hon. Gentleman the Secretary of State for War said the other night that the Government were going to put an end to a rotten and effete system. But this was begging the whole question. The system had worked right well. The Government were seeking additional naval and military strength. Was this the time for incurring a large additional outlay by removing the purchase system? Until they had the whole scheme of the Government before them, he entreated the House not to consider those Members factious who refused to proceed with the Bill. Under the present system of exchange an officer was able without detriment to himself to inhabit the climate that best suited his health; but if it were abolished he would often be obliged to remain at stations injurious, and perhaps fatal, to his constitution. It would be cheaper to allow the officers to settle this matter for themselves than to take it out of their hands.

Lord ELCHO observed, that the Secretary of State for War was very boastful about no division having been taken on the purchase system, and the Prime Minister cheered his observation on that point. The Prime Minister had on his side the advantage of great battalions. But he need not be so boastful of his battalions when he could not get one from their ranks to say a single word in defence of his measure. The right hon. Gentleman the First Lord of the Admiralty pointed proudly behind to the hon. and gallant Member for Haverfordwest (Colonel Edwardes), who did say a word in favour of the abolition of purchase.

Colonel Edwardes

He congratulated Her Majesty's Government on having among their ranks at least one who did bear Her Majesty's commission, and who supported this measure. The exception in this case proved the rule. He gave the Government credit for being as well-intentioned as any men that ever sat on the Treasury bench; but they left out of consideration a very important element in dealing with this subject—they forgot that they were dealing with men, and they utterly ignored the feelings, the constitution, and health of officers. They wanted to prevent the passing of money for exchanges, which they could not prevent. Did they not know that money passed with respect to adjutancies of Volunteers? Why, then, by legislation attempt to stop what they could not prevent?

Mr. MELLY said, that the reason why the supporters of the Government did not speak in favour of the Bill was that they were really anxious it should pass, and the reason why hon. Gentlemen on the other side spoke so much was that they wanted it to be lost. The noble Lord (Lord Elcho) had declared that he would use every form of the House to oppose the Bill—[Lord Elcho: Hear, hear!]—and it was well known that talking against time was one of the most effectual methods of obstruction. Why, that very evening they had listened to a speech of an hour and a-half's length from a right hon. Gentleman (Mr. Disraeli), who was one of the most able and eloquent orators in the House; but that speech must have left on all their minds the impression that the right hon. Gentleman also was making use of that form for the purpose of deferring the time for going into Committee on this Bill. Perhaps, also, the object of the Opposition was to defer another Bill to which they had an equally strong objection. Another reason why the supporters of the Bill did not address the House was that they had perfect confidence in the Secretary of State for War, and they knew that the task of replying to hostile criticisms might be safely left in his hands.

Mr. LIDDELL said, he thought that the Government might well say—"Save us from our friends;" for the hon. Member had, by way of shortening the discussion, introduced irrelevant subjects of a personal character that were eminently qualified to beget discussion. He had no intention of availing himself of the opportunity thus created; but he protested against the referencee that the hon. Member had made to the Leader of the Opposition, who had only discharged a public duty in calling attention to the financial policy of the Government.

COLONEL CORBETT said, the system of exchanges was one which righted itself; but what would be the result if it were put an end to? They might have half the officers of a regiment invalided. Were they going to double the number of officers in regiments in unhealthy climates? A great many questions had been put to the Government in the course of the debate, but no answers had been received. In fact they appeared —as he had said the other night—to be in a thick fog on the subject. If the Secretary of State would only communicate some information to hon. Members, he would do much to expedite this business.

CAPTAIN VIVIAN said, his noble Friend (Viscount Bury) had laid down the proposition that an officer in the Army had a right to choose the country in which to serve.

VISCOUNT BURY observed, that what he said was that by the present system of exchange a man usually had the power of selecting the country in which he was to serve.

CAPTAIN VIVIAN said, he was glad to hear the explanation. It was impossible for the Government to accept the Amendment. The Bill was intended to prevent anything like vested interests amongst the officers. The Government proposed to abolish purchase, in order that officers might be treated as was best for the good of the service, and if exchanges for money were allowed it would be impossible to prevent an officer who had spent money for an exchange from having a vested interest. He held in his hand an agent's business circular—a list of exchanges which officers desired to effect; in one case a "large bonus" was offered, and in another "nominal terms" were proposed; and he referred to these only to show the pecuniary value of the arrangements that were constantly being made. A remarkable case was named in the evidence taken by the Commissioners of 1856, at page 87, the witness stating that his noble Friend (Lord Eustace Cecil), when junior lieutenant, for accepting an exchange, was selected for a captaincy in the Guards, without purchase, and promoted over the head of another officer who was several steps above him. [Lord EUSTACE CECIL said, the evidence referred to was totally incorrect.] He was not responsible for the evidence, but he had quoted it accurately. It was not intended to interfere with exchanges; it was fully admitted that officers ought to be able to exchange; and the only object of the clause was to prevent the Bill sanctioning the payment of money. There were, however, regulations under which there was no difficulty whatever in providing for travelling and legitimate expenses, which were well understood and could be easily settled in each case. He believed that his hon. and gallant Friend was making a bugbear of the question of exchange in order to prejudice the Bill.

LORD EUSTACE CECIL observed, that the evidence to which reference had been made was given 16 or 18 years ago, and had he known of it at the time he would have contradicted it. The facts were these:—He exchanged from the 43rd Regiment in India to the 88th at home. He was promoted, perfectly unknown to himself, without solicitation on his part, by a noble Lord of opposite politics to his own, Lord Strafford, who could not have had any such reason for the promotion as that which was stated in the evidence.

COLONEL LEARMONTH said, with respect to exchanges, that they were invariably and without exception under the control of the authorities. No exchange could take place that had not the sanction of the Commander-in-Chief. It was well known to all officers that there were Army agents in London, and that the paper to which reference had been made was published by them. What he wished the House to understand was, that no agreement between officers for exchange could be carried out which had not the sanction of the Horse Guards, no matter what stage they had reached, and if an officer was serving in a climate which did not agree with him, and could get one at home who was willing to go out, he did not see any objection to an exchange on the payment of a small sum provided no injury was thereby caused to the public service. It was impossible to prevent the carrying out of a system of exchange.

Major General Sir PERCY HERBERT said, the agents who issued circulars such as had been quoted were not the authorized Army agents, who were paid by the State for the services which they rendered to officers. The Secretary of State for War had not given the Committee the slightest notion as to his objection to exchanges except that money passed. In fact, he believed the right hon. Gentleman had taken up the question without any great consideration or knowledge of it. While the purchase system existed a legitimate objection to exchanges might be raised, because sometimes a man might exchange from one regiment to another in order to get in the second regiment a higher price than he was able to obtain in the first. This objection was not a valid one, however, after purchase was abolished. According to the present rules an officer was entitled to his half-pay after 25 years' service; but everybody was aware that many officers after serving a certain number of years abroad broke down in health, and were obliged to return home, where they often entirely recovered. Did the right hon. Gentleman intend to give such men their half-pay before they had served 25 years? Vested interests had been talked about, but no vested interest could accrue from paying money for exchange. The present scheme was one to transfer from one regiment to another officers who had entered under a different system, and though they had already had breaches of faith he was not prepared for such a gross one as this. The officers had entered the service under the impression that they could not be transferred from one regiment to another without their own consent, and therefore the present proposition was a gross breach of faith. In the course of this discussion reference had been made to the rights of officers. Now, no officer claimed to have any right whatever against Her Majesty the Queen, who in the exercise of her unlimited prerogative might promote anyone she pleased to the highest rank in the Army. The case was different, however, when the House of Commons came to consider the subject involved in this Bill, and hon. Members ought not to forget they were dealing with the rights of gentlemen who did not cease to be citizens when they became soldiers, and who were entitled to fair play, justice, and an equitable construction of the terms on which they entered the Army. He hoped that the right hon. Gentleman would take back this provision and consign it to the same limbo as the restrictive clauses in reference to selling out had been consigned to.

Sir HENRY STORKS said, he wished to make a brief explanation respecting exchanges on the part of officers on foreign service. The remarks made tonight had principally been directed to the case of officers who wished to return home in consequence of their health having been impaired while on foreign service. His right hon. Friend the Secretary of State for War had explained that it was never intended in any way to interfere with exchanges between officers so circumstanced; but his right hon. and gallant Friend opposite asked what an officer was to do who came home in impaired health. By the present regulations, which would still remain in force, he would be placed on temporary half-pay, and on his restoration to health he would also be restored, when an opportunity offered, to full pay in a regiment. There was no intention whatever to interfere with the rules respecting temporary half-pay to officers in impaired health.

Mr. DISRAELI said, that after what had passed he thought it right to state that he happened to be with the late Lord Salisbury when he received the letter from Lord Strafford offering a commission in the Guards to his son. Lord Salisbury handed that letter to him (Mr. Disraeli), and he had a lively recollection of its contents. They were of a nature most gratifying to Lord Salisbury; but perfectly inconsistent with the statement in the evidence quoted by the hon. and gallant Gentleman opposite (Captain Vivian). No one could have been more pleased by its reception than Lord Salisbury, but no one could have been more surprised.

Colonel SYKES, in answer to the complaint that the interests of officers would be sacrificed unless they were allowed to exchange, suggested that the system in operation in the East India Company's Armies should be adopted generally in the British Army. In India, when the health of an officer broke down, he was granted a sick certificate for such time as might be necessary for his restoration, and allowed to come to Europe on European pay, the vacancy in his regiment not being filled up. By this means the difficulty was overcome without the necessity of exchanging to other regiments, a system which could have no other effect than that of destroying the admirable regimental system now in existence. In the Royal Army, as the Committee had just learnt from the Surveyor General of the Ordnance (Sir Henry Storks), when an officer's health broke down while abroad, he was sent to England and placed upon half-pay, and his place in his regiment filled up; and it depended upon influence and good fortune when he could get restored to full pay by effecting an exchange or otherwise. When the purchase system was absolutely done away with, and no money could pass from officer to officer, the European Army would be precisely in the condition the Indian Army had been in for 70 years. They would be obliged to have recourse to the bonus system, as a transaction, not between officer and officer, but embracing a transaction between the officer retiring and the regimental fund. Otherwise, there would be a total block of promotion.

MAJOR GENERAL SIR PERCY HERBERT said, he had not been speaking of the system of exchanges, which had been broken up for many years. Mr. Sidney Herbert had told him they had taken special care to prevent such things taking place. What he wanted to ask was about the exchanges they were most interested about now—the exchanges from one regiment to another without going into half-pay. Of course, when an officer had a sick certificate he could go on half-pay. But how was the officer half-way up the list to do this? How could he sacrifice his position by doing so? If he exchanged under these circumstances he lost promotion, for he went to the bottom of the list, which was a very different thing to going on half-pay. What he wanted to know was, what was the objection against officers passing money from one to another in exchanging? There would be no purchase, and no possible harm could come of it, as it must come under the cognizance of the military authorities.

MR. CARDWELL said, the general arrangements with regard to transfer would be left as they are at present. With reference to the desirability of exchanges from one regiment to another, he had before him the opinion of Lord Clyde that, though they might benefit individual officers, they were prejudicial to the interest of the service. The object of the Government was to benefit the service in preference to the convenience of the individual. They had no objection to exchanges made under proper regulations; but when the right hon. and gallant Gentleman asked what was the objection to the passing of money, his answer was, that the House had been occupied in vain in these debates if they had not arrived at the conclusion that these transactions between officers should no longer be the subject of money.

COLONEL STUART KNOX said, the Secretary of State for War was insisting on words in the Bill which would be most offensive to the officers of a regiment. They had heard of officers wanting to go up. But there were the officers who had risen from the ranks, to whom a few hundred pounds might be the greatest help.

MR. CONOLLY suggested that the Secretary of State for War should, on the present question, defer to the authority of his right hon. Colleague the First Lord of the Admiralty, who, as hon. Members knew, was the highest authority in the House on the question of exchanges. Money was the universal medium of exchange, and a commodity was sure to find its value in the exchange of the world. Now, if that small argument could be brought home to the mind of the Secretary of State for War, who had charge of the Bill, it would dispose of the whole question.

MAJOR ARBUTHNOT said, he was aware that the abolition of purchase would not affect the non-purchase corps, and he was thankful that they would also remain unaffected by the principle of selection. But as one who was on the active list of those corps, he must in common fairness admit that if the system of exchange was prohibited in the rest of the Army, there was no good reason why it should not be extended to them; and if that were done, the result would be to render the officers in the artillery even more dissatisfied with their position than they were at the present moment. The power of exchange—and it was nonsense to say that exchanges could be carried out without money—had hitherto been one of the great set-offs to the disadvantages under which they laboured owing to the slowness of promotion.

Colonel ANSON deprecated the practice of making personal questions of points raised in debate on this Bill, and objected to the reference made by the hon. and gallant Member for Truro (Captain Vivian) to the experience of the noble Lord opposite (Lord Eustace Cecil). When he quoted evidence from the Blue Book he should have known that it was given by the late Mr. Higgins; and he had the means of satisfying himself as to the truth of the matter. It was a very great mistake, because officers of the Army were obliged to deal with this subject, for Gentlemen on the Treasury bench to raise personal questions with regard to them. He protested against the attempts made by the hon. Member for Stoke (Mr. Melly), and other hon. Members, to stop discussion in Committee, when the Bill had to be dealt with on its merits, and complained that the right hon. Gentleman the Secretary of State did not pay sufficient attention to the points brought before him. He denied that there was any connection between purchase and exchange, referring for support to evidence given by Lord Clyde. In reply to the remarks of the hon. and gallant Member for Aberdeen (Colonel Sykes), he might observe that things might wear a different aspect if furloughs were granted as in the case of the regiments in India to which he had alluded. But was the Government prepared to grant furloughs? From what he had heard, he was rather disposed to think that the right hon. Gentleman at its head was about to curtail the leave of officers, so that if they had more than 60 days' leave they should have no pay at all. [Mr. Gladstone: The hon. and gallant Gentleman is entirely wrong.] Be that as it might, he must contend that it had not been shown that the system of exchange would do the slightest harm, while it would create no vested interests. He expressed a hope that the House would not treat this as a party question, but would support his Amendment.

Captain VIVIAN said, he had been in the House a great many years, and that he had never made a personal attack on anybody whatsoever. He had read a letter the other day which was written by the hon. and gallant Officer (Colonel Anson), but he could not have supposed that it was a private one, although it was marked "private" at the corner; because it had been sent round to almost every regiment in England, and his hon. and gallant Friend himself had commented on its results. Even under these circumstances he had declined to read the letter except with the consent of the writer. As to the case of the noble Lord opposite (Lord Eustace Cecil), all he had done was in referring to it to read an extract from the evidence given before the Committee of 1856, which, up to the present time had never been contradicted, and which, therefore, he had a right to suppose was perfectly correct, taken as it was from a Parliamentary Paper.

Lord ELCHO said, he wished to complain of the circumstance that as he was crossing the House a few minutes before, to speak to his hon. and gallant Friend the Member for Bewdley (Colonel Anson), he was called to order by the hon. Member for Stockton (Mr. Dodds), who was in the habit of calling hon. Members to order, as in the present instance, without any sufficient cause. As he understood his hon. and gallant Friend, he made no complaint of the Financial Secretary because of his having read his letter to the Committee.

Colonel BARTTELOT said, there was one important point which ought to be placed before the Committee, and it would commend itself to the right hon. Gentleman at the head of Her Majesty's Government, because the right hon. Gentleman made a statement last year during the debate on the Irish Land Bill on that very point. It was very important that the Army should be made as attractive as possible to young men, and if exchanges were to be prevented, he wanted to know whether it would not shut out from the Army a large class of men who were now anxious to join the service. These men were willing to serve for a certain time in any part of the world; but at the expiration of that time family ties, and other circumstances induced the wish to return home, and it was desirable that they should be allowed to exchange. He could not see what objection there could be to the system of exchanging, and he hoped the Government would allow it to continue.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 183; Noes 146: Majority 37.

Motion made, and Question proposed, "That Clause 2 stand part of the Bill."

Whereupon Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Colonel Stuart Knox.*)

The Committee *divided*:—Ayes 133; Noes 181: Majority 48.

Committee report Progress; to sit again upon *Monday* next.

GAME AND TRESPASS BILL.

On Motion of Sir Henry Selwin-Ibbetson, Bill to amend the Laws relating to Game and Trespass on Land, *ordered* to be brought in by Sir Henry Selwin-Ibbetson, Sir Smith Child, Mr. Goldney, Sir Graham Montgomery, and Colonel Corbett.

Bill *presented*, and read the first time. [Bill 151.]

HOUSE OF COMMONS (WITNESSES) BILL.

On Motion of Mr. Attorney General, Bill for enabling the House of Commons, and any Committee thereof, to administer Oaths to Witnesses, *ordered* to be brought in by Mr. Attorney General, Mr. Secretary Bruce, and Mr. Solicitor General.

Bill *presented*, and read the first time. [Bill 156.]

NORWICH VOTERS DISFRANCHISEMENT BILL.

On Motion of Mr. Attorney General, Bill to disfranchise certain Voters for the City of Norwich, *ordered* to be brought in by Mr. Attorney General and Mr. Secretary Bruce.

Bill *presented*, and read the first time. [Bill 155.]

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 3) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming a Provisional Order made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Cork.

Resolution *reported*: — Bill *ordered* to be brought in by Mr. Chichester Fortescue and Mr. Arthur Peel.

Bill *presented*, and read the first time. [Bill 153.]

CORRUPT PRACTICES ACT AMENDMENT BILL.

On Motion of Mr. Winterbotham, Bill to amend the Acts relating to the Expense of Commissioners to inquire into Corrupt Practices at Elections, *ordered* to be brought in by Mr. Winterbotham and Mr. Secretary Bruce.

Bill *presented*, and read the first time. [Bill 152.]

INDIA (LOCAL LEGISLATURES) BILL.

On Motion of Mr. Grant Duff, Bill to extend in certain respects the power of Local Legislatures in India as regards European British Subjects, *ordered* to be brought in by Mr. Grant Duff and Mr. Adam.

Bill *presented*, and read the first time. [Bill 154.]

BENEFICES RESIGNATION BILL.

Select Committee on Benefices Resignation Bill *nominated*:—Mr. Gladstone, Sir George Grey, Mr. Bouverie, Mr. Acland, Lord Edmond Fitzmaurice, Mr. Monk, Lord John Manners, Mr. Cross, Viscount Mahon, Mr. William Henry Smith, Mr. George Gregory, and Mr. Gathorne Hardy:—Five to be the quorum.

And, on May 19, Mr. Dickinson *added.*

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 19*th May*, 1871.

MINUTES.]—Public Bills—*First Reading*—Police Courts (Metropolis) * (125); Burial Law Amendment * (126); Pier and Harbour Orders Confirmation (No. 1) * (127); Pensions Commutation * (128); (£7,000,000) Consolidated Fund *; Customs and Income Tax *; Betting * (129).

Second Reading — Leeward Islands (105); Juries (Ireland) (122).

Committee—Ewelme Rectory * (82).

Report—Judgments (Ireland) * (59).

Report—Third Reading—Bank Holidays * (120), and *passed.*

Third Reading—Sequestration * (121); Anatomy Act (1832) Amendment * (74); Trades Unions * (123); Criminal Law Amendment (Violence, Threats, &c.) * (115), and *passed.*

LEEWARD ISLANDS BILL—(No. 105.)

(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

The Earl of KIMBERLEY, in moving that the Bill be now read the second time, said, that the measure related to the practical federation of an interesting group of West India Islands. The Government which now existed was established in this way—By letters patent issued in 1689 separate Legislatures were established in each island of the group, together with one General Legislature for the whole of the Islands: but the latter met only six times, the last being in 1798. In 1816 they were divided into two Governments; in 1836 they were again united, with the addition of Dominica; and in 1837 Sir William Colebrooke, who was then Governor of the Leeward Islands, tried to restore the General Legislature, but failed in the attempt, owing to the agitation then prevalent consequent on the abolition of slavery. The question was revived in 1866 by Sir Benjamin Pine, the Governor-in-Chief, in consequence of certain reforms which were proposed to be introduced in the administration of justice, and the then Colonial Secretary (the Duke of Buckingham) sanctioned a scheme for the general administration of the Islands, which, however, did not include a General Legislature. The change of Ministry prevented the success of this scheme; but the subject was taken up by his noble Friend (Earl Granville), who had succeeded as Colonial Secretary, and the present Bill, owing to Sir Benjamin Pine's energy and ability, was the result. Prior to 1866 each island had two Legislative Houses on the British pattern—one nominated and the other elected; but this arrangement was a very cumbrous one for small communities, and all the Islands had adopted a single Assembly each, which had led to great administrative improvements. The entire population of the Islands was 110,000. The several Legislative Bodies of the Islands had by Resolutions signified their desire for the union of the whole under one Government, in the manner that was proposed in this Bill. The Legislatures of Antigua, Montserrat, Dominica, and the Virgin Islands were unanimous in desiring the federation proposed; but in St. Kitts it had encountered considerable opposition, six out of eight elected Members of the Legislature opposing it: but at the election which had since occurred four of the six Members lost their seats—a proof that their vote had not been in accordance with public opinion. In Nevis there had also been much opposition, and an Address had been sent home deprecating the scheme. It was, however, a very small island, and the largest landed proprietor was a strong supporter of the project. In the whole group 44 *ex-officio* and nominated Members, and 16 elected Members, voted in favour of federation; while only 11 elected Members voted against it. The scheme of federation proposed by the Bill was this—The Islands were to form one colony under the title of the "Colony of the Leeward Islands." There would be an Executive Council, composed of persons nominated by the Queen. There would be a Legislative Body to be styled "The General Legislative Council," to consist of 10 elective and 10 non-elective Members—the elective Members were to be elected by the elective Members of the Island Councils from which they were sent; the non-elective would be appointed by the Queen, and were to consist of a President, three official Members, and six unofficial Members. Each island would have one nominated Member, while the 10 elected Members would be apportioned according to wealth and population. The Legislature would deal with the law of real and personal property, wills, &c., mercantile law, the law relating to husband and wife, parent and child, marriage and divorce, the criminal law, civil and criminal judicature, the police, post office currency, weights and measures—and other subjects. The last clause was one of considerable importance. It gave power to the Queen in Council, on Address from the Legislative Body of any of the West Indian Islands not included in this Bill, to bring such Island under the operation of this Act, under such terms and conditions as the Addresses may express and Her Majesty approve. The federation was expected to prove very advantageous in point of economy and administration, as also with regard to the police and defensive force; and it was likely to attract the services of a higher class of men, as higher salaries would be given than under the present system. Difficulty of communication—the only objection which once prevailed to the movement now going on all over the world for the concentration of small communities — no longer existed, and there was a clause in the Bill empowering the Crown to add the Windward Islands to the federation if they should desire to join it. It was satisfactory to find that the West India Islands were at length reviving from their long mercantile depression. Jamaica, under the able administration of Sir J. Peter Grant, and under a constitution adapted to its wants, was fast resuming the position to which its fertility and resources entitled it, and a deficit had during the last two years been turned into a surplus. Antigua was considerably improving, St. Kitts was prospering, Nevis was beginning to revive, and he hoped that the change would soon extend to Dominica.

Moved, "That the Bill be now read 2ª."—(*The Earl of Kimberley.*)

THE EARL OF CARNARVON said, that this matter was one of very great importance to our West Indian Colonies. He agreed very much with what had been said as to the present position of the Islands:—owing to the dispersion of authority over the several islands good administration was almost impossible. He quite agreed that the opposition of St. Kitts and Nevis would not have justified the abandonment of the scheme; they were both small places, and there could be no doubt that the general opinion of the Islands was in favour of federation. He had no doubt that the change would lead to economy and to improved administration; but he attached much more importance to the principle of extension which the Bill contained. The great difficulty in many Colonies was in obtaining a supply of proper men for public duties—it was indeed one of the difficulties in the way of representative government—and this difficulty was felt more particularly in these small West India Islands, and therefore the consolidation of the government of those Islands would be a very great advantage to them. He therefore trusted that the present was the germ of a still larger federation, and that the principle would be extended as the circumstances of the time should render necessary. No doubt there had been a very great improvement in the condition of these Islands within the last two years, and particularly in those whose institutions were more directly under the influence of the Crown. Nowhere had that result been more manifest than in Jamaica, the political and commercial difficulties of which had long rendered this Colony a thorn in the side of Colonial Secretaries, but all those difficulties had been got rid of—a result which was mainly due to the efficient administration of Sir Peter Grant. During the four or five years that he had been there he had not only brought about a good system of law, order, and administration, but he had converted the deficit into a surplus equal to, if not exceeding, the deficit of former years. The establishment of an intercolonial steamer was essential to the present measure, and in the Correspondence between the Colonial Office and the Treasury, the publication of which he regretted, he had been sorry to observe that the latter at first gave an almost point blank refusal to the proposal that the saving accruing to the Imperial Government from federation should be applied to this object. The Colonial Office was obliged to threaten the abandonment of the scheme before the Treasury would give way. No doubt the Government was bound to watch over the expenditure of public money; but the principle might be carried to an extent prejudicial to the public interests. As to the propriety of the scheme of concentrating powers in the central Government, much must depend upon the proper distribution of local and central powers; and he observed that the list of subjects within the jurisdiction of the general Legislature did not include the regulation of trade and commerce, navigation, or banking, and he thought it might be wiser to follow the Canadian precedent and insert also a list of subjects left to the local assemblies. The central Legislature appeared also to have no taxing powers, though in the United States, Canada, and Switzerland certain departments of revenue were reserved to the central power, and he was at a loss to know whence the fund was to be derived for defraying the expenses of the federal Government. He thought the Bill would be very beneficial. The subject was often in his mind during his short tenure of the Seals of the Colonial Office, and he supported the measure as one of great immediate utility, and as the germ, he trusted, of a still larger federation.

LORD LYVEDEN said, he quite agreed in the desirability of getting rid of those petty jealousies which prevented anything being done in these small Colonies which would be for the advantage of the whole body, and he was glad to find that a colonial question of long standing was at length to be brought to a settlement. To his own knowledge this matter had been before the Colonial Office for 30 years, he himself being in that Department with the noble Earl at the Table (Earl Russell) when Sir William Colebrooke, one of the best Governors we ever had, endeavoured to unite these communities. The failure of that attempt was not owing, as stated by the noble Earl (the Earl of Kimberley), to the slavery question, but to the quarrels and jealousies of the Islands; and but for the energy and ability of Sir Benjamin Pine the same causes would have defeated the present scheme. He should like to see a still larger federation, and was glad that powers had been taken for that purpose. With regard to the intercolonial steamer, he agreed with the noble Earl opposite (the Earl of Carnarvon) that the published Correspondence between the Colonial Office and the Treasury was not of a creditable character, and was likely to create ill-blood in the Colonies. He congratulated the Colonial Office on being able to bring the scheme to a successful issue.

EARL GRANVILLE said, he did not rise to defend the Treasury, but he would point out that the two Departments had viewed the question from a different point of view. Sir Benjamin Pine had shown great ability, and had rendered an eminent public service in bringing this scheme to a conclusion.

THE EARL OF KIMBERLEY explained that the steamer would be provided for five years at the Imperial expense—that was to say, as far as the saving in the expenses of lieutenant governors would allow, and that was likely to cover the whole expense. As to the Treasury, it might sometimes appear to offer needless opposition; but the public interests would in the long run seriously suffer were not all schemes involving expenditure carefully considered. A common treasury was originally included in the scheme, but to this it was impossible to obtain the consent of the local Legislatures. He agreed that it would be advantageous if the scheme could be extended further; but it would be wise for them now to accept what they could get, and thus lay the foundation for improvement hereafter. He might remark that the consent of the local Legislatures to the present Bill had not been obtained without the greatest difficulty; and he could not hold out the hope that there would be any material extension of it. He hoped that Parliament would take the measure upon trust, for were it materially altered its success would be defeated or jeoparded.

Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

THE NATURAL HISTORY COLLECTION AT SOUTH KENSINGTON.—QUESTION.

LORD CAIRNS asked Her Majesty's Government when it is intended to erect the Building for the reception of the British Museum Natural History Collection on the piece of ground at South Kensington, made over to the Nation by the Commissioners of the Exhibition of 1851; and under what license or authority a portion of such ground has been occupied by refreshment booths in connexion with the Royal International Exhibition, and whether such occupation is intended to be permanent or temporary; and whether Her Majesty's Government are aware that carpenters and other workmen have been openly at work on such ground during the whole of the last and two preceding Sundays, and whether steps will be taken by the Government to prevent a continuance of the use of public property in this manner? Their Lordships were perhaps aware that the land, on which it was proposed to erect the Museum, was purchased with the surplus funds of the Exhibition of 1851, and was made over by the Commissioners to the Government for the sum of £150,000; the actual value of the land being about £250,000. There was, however, a condition that the ground should not be used for the mere purpose of building, but that it should be devoted to the purposes of science and art. Since then the ground had remained vacant, save that it had been subjected to such occupations as his Question inferred. Last year the question was brought before the House of Commons in the shape of a small Vote for the building, and on a division the propriety of keeping this ground for the Natural History Collection of the British Museum was affirmed by a considerable majority, and the money was granted. He was afraid that since that time nothing had been done by the Government, and that the grant of money lapsed at the termination of the financial year. The ground was now occupied by refreshment booths in connection with the International Exhibition, and the remaining space was used as a lumber yard, where the packing-cases, shavings, and rubbish of the Exhibitors were deposited. He did not think it could be shown that these booths were buildings devoted to science and art. Considerable scandal had been caused during the last three Sundays by carpenters and other workmen pursuing in this open piece of ground their ordinary occupation, with its usual accompaniments of noise and confusion. He took it for granted that the Government were not aware of this annoyance to a peaceful and quiet neighbourhood, and he trusted they would take steps to prevent its recurrence. The noble Earl (Earl Granville), both from his position in the Government and as one of the Exhibition Commissioners, would no doubt be possessed of information which would enable him to answer the Question.

The Duke of ST. ALBANS said, he rose to reply on behalf of the Board of Works. When at the close of last Session Parliament sanctioned the erection of the proposed Natural History Museum Mr. Waterhouse, the architect, was directed to prepare sketch-plans of a building suitable for the reception of the Collection. As soon as these preliminary plans had been prepared they were forwarded for consideration to the Trustees of the British Museum. Some time was required to settle questions which arose; but, as soon as the sketches had been approved by the Trustees and the Treasury, instructions were given to Mr. Waterhouse to prepare the complete plans and drawings for the construction of the building. He was accordingly now engaged in completing the final plans and drawings for the new building, and as soon as they were ready—which would be within two or three months—tenders would be invited for the construction of the building. An estimate had been laid on the Table of the House of Commons for £40,000 to be expended on the building this year. With regard to the second part of the noble and learned Lord's Question, he might state that the Commissioners of 1851 sold this piece of ground some time since to the Government for less than market value, stipulating that it should be applied to purposes connected with science and art. This being the case, the First Commissioner of Works considered it right and fair to give the temporary use of a small strip of this land to the Commissioners to assist them in their endeavours to promote science and art. This would not interfere with the erection of the proposed public building. Her Majesty's Government had not been aware that workmen had been employed the last three Sundays. There was, however, no doubt that if the private persons who held these refreshment departments were communicated with they would be careful not to wound the susceptibilities of the neighbourhood. He himself was living exactly opposite, and must confess that he had never noticed any unusual activity on the Sunday.

Lord CAIRNS said, his complaint was that there had been the usual amount of business as on week days. Having given notice of his Question, he expected that the noble Earl would have been able to ascertain whether that work had been carried on.

Earl GRANVILLE explained that until lately his connection with the Commission had been merely of an honorary character, and he was not acquainted with details of the work which had been done. There appeared to be some difference in the evidence of the noble and learned Lord and the noble Duke as to the working on Sundays.

Lord CAIRNS remarked that they agreed on the point.

Earl GRANVILLE said, his noble Friend meant that no work had been carried on to his knowledge. The application of the Royal Commissioners seemed to have been a legitimate one, considering that they had given the Government this land for so much below its value; and he thought its use for refreshment places necessary for visitors to the Exhibition was not incongruous. He was sure the Commissioners would take care that no desecration of the Sabbath took place in the future.

The Duke of RICHMOND said, that his noble and learned Friend's Question was, whether the Government would take steps to prevent any desecration of the Sabbath such as he had witnessed?

Earl GRANVILLE said, his right hon. Friend the First Commissioner of Works would make inquiries into the matter, and adopt proper measures. He would, doubtless, be seconded by the Commissioners, and, he hoped, meet with a ready acquiescence on the part of the contractors.

Earl STANHOPE was of opinion that there ought to be no further delay in the erection of the building for the Natural History Collection, and inquired when the Government contemplated commencing that great national work?

The Marquess of LANSDOWNE said, that the Vote of £6,000 last year was inserted in the Estimates for the purpose of raising a discussion, and of deciding whether the building should be erected. Although he was unable to state the precise date at which the buildings would be begun, the plans were definitely settled, with the exception of some comparatively unimportant alterations lately suggested; and he believed that no unreasonable delay was to be anticipated.

Earl CADOGAN said, there had been no lack of energy on the part of the Trustees of the British Museum; but he thought there had been unaccountable delay on the part of the Treasury.

Lord HEADLEY said, there was one significant symptom which no one had noticed. The numbers of the houses opposite to this piece of ground had recently been altered to 1, 3, 5, 7, and 9; and that looked very much as if 2, 4, 6, 8, and 10 on the opposite side were to follow.

JURIES (IRELAND) BILL—(No. 122.)

(*The Lord O'Hagan.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord O'HAGAN, in moving that the Bill be now read the second time, said, that eight or ten Bills had been brought in by successive Attorney Generals of successive Governments to deal with this subject, but he feared that the evil they were intended to diminish had increased. In giving evidence before the Westmeath Committee the other day one of the oldest and most experienced officials in Ireland stated that the petty jury panels were in a dreadful state, and it was absurd to expect that justice could be effectually administered until they were amended. It had therefore evidently become absolutely necessary that some effort should be made to rectify the prevailing evil, and this Bill aimed at both amendment and consolidation. The consolidation was intended to arrange all the statutes bearing on the Irish jury system in a clear and intelligible form; and the Amendments would refer to four matters—namely, qualification of jurors, revision of the jury lists, rotation of jurors, and abridgment of the unlimited and uncontrolled power of the sub-sheriffs in selecting jurors. Hitherto the jury lists had been made up of freeholders and leaseholders in counties, and of certain freemen and householders in towns; but of late years numerous social and economic changes had revolutionized the different classes of Ireland, and the old qualification of freeholders and leaseholders had become so obsolete that there were none who could now constitute a jury in Ireland; while in some counties 45 and even 55 and 66 per cent of persons as well qualified in regard to property to serve as those who actually did serve, were excluded from the lists by their not possessing the legal qualification. The result had been that in some instances the administration of justice had been brought to a dead-lock, and wherever the power of challenge had been rigorously exercised persons had been able to prevent any trial taking place. He proposed to put an end to existing qualifications and to substitute a simple and uniform qualification, founded upon the rating to the Poor Law, which had answered admirably in relation to the elective franchises. The rating would be £30 for petty jurors, and £100 for special jurors, which would provide a substantial qualification in the most satisfactory manner. It might be a question in Committee, however, whether these amounts should be exactly maintained. At present the jury lists were arranged by barony constables, who did the work so carelessly that in 1869 there were 2,921 persons, or one-tenth of the whole number, on the lists who possessed no legal qualification. These lists were revised by the magistrates. The revision took place in October, when the magisterial bench was expected to assemble, but there was a scandalous neglect of duty in that respect, and revision was a mockery. He proposed to transfer the preparation of the lists to the clerks of the Poor Law Unions, who were intelligent and responsible men, and who performed similar duties with reference to the elective franchise in the most satisfactory manner; and to commit the revision of the lists to the Revising Barristers, to be done at the same time that the Parliamentary lists were revised. As to rotation, he should state that hitherto frequently the same persons had been summoned time after time, so that certain classes of individuals had suffered great oppression. His suggestion, as embodied in the Bill, was that there should be a regular rotation, from year to year, and that the same persons should not be called upon to serve again until the whole list had been exhausted. This would effect an alteration which had been suggested many years ago by the Irish Parliament and recently by the Imperial Parliament. The only other point to which he wished to call attention had reference to the action of sub-sheriffs, in retaining or omitting the names of jurors, as their prejudice dictated, and this power they had exercised not always in the wisest or fairest way. Both the Crown and the people had reason to complain of this irresponsible power, which was sometimes very grievously exercised. In 1869, on one of those unfortunate party trials which occasionally occurred in Ireland, there was a challenge to the array, which succeeded on the ground that the first 70 names on the panel were Protestants, and that while the panel consisted of 250 names 202 were Protestants, and only 48 Roman Catholics. He might state a case which had occurred within his own experience. Some 10 years ago a conspiracy extended into two conterminous counties; in the one county the jury panel was found to be of so hostile a character that all the prisoners pleaded guilty; but when the Attorney General who prosecuted went to the next county the panel was so obviously favourable that he was obliged to leave *re infecta,* and not try the prisoners at all. Such a state of things was monstrous and inconsistent with decent administration of justice. He believed it might be safely put an end to if they had a substantial qualification and a fair revision. What the Bill proposed was, instead of allowing the sub-sheriff to take the panel and select from it as he chose, putting people where he pleased, and omitting those whom he did not wish to see on the panel, that the panel as settled by the Revision Court should be alphabetically drawn, and that there should be a general alphabetical jurors' book, from which the list should be formed by taking the names from the letter A, then from B, and so on to the end of the book, and afterwards going back again until the list was completed. That was the proposition made in 1854 by the present Lord Chief Justice of Ireland, and he believed it to be a reasonable and satisfactory mode of accomplishing the object, and which, if adopted, would go a long way to satisfy the Irish people that there was a disposition on the part of the Government to do them substantial justice. If the objects of the Bill were gained he was persuaded that the Government would thereby inspire the people of Ireland with a confidence in the administration of justice in that country.

Moved, "That the Bill be now read 2^a."—(*The Lord O'Hagan.*)

THE DUKE OF RICHMOND said, he would not oppose the second reading of the Bill; but, in assenting to the second reading, he guarded himself against doing more than considering it expedient to amend and consolidate the laws relating to juries in Ireland. The Bill would be circulated in Ireland, and they would be enabled, after re-assembling, to ascertain from the feeling which existed in that country, how far the various provisions of the Bill would be likely to prove satisfactory.

Motion *agreed to;* Bill read 2^a accordingly.

THE WELLINGTON MONUMENT.

QUESTION.

EARL CADOGAN asked Her Majesty's Government to state the nature and terms of the arrangement that has been made for the completion of the Wellington Monument in St. Paul's Cathedral?

THE MARQUESS OF LANSDOWNE said, as their Lordships were in possession of the Correspondence which carried the history of this subject down to the month of February in the present year, he would, in answering the noble Earl, limit himself strictly to what had since been done. Their Lordships would remember that at the close of the correspondence the position of things was this — Mr. Stevens' contract had been determined, Mr. Penrose's superintendence over the work had been discontinued, and Mr. Stevens had handed over that part of it which had been completed to the officers of the Board of Works. Her Majesty's Government found themselves at that moment in a somewhat embarrassing position, being responsible for the completion of a monument, the designer of which had been separated from it, of which some portions had been completed, while some were in process of completion, and others which had scarcely been commenced were lying at Mr. Stevens' studio. Under these circumstances, the Treasury were of opinion that, instead of at once inviting tenders from other artists, it would be preferable in the first instance to obtain the advice of some competent authority, whose professional position would give weight to his opinion as to the course to be adopted for turning to the best advantage the materials which so far had been supplied. To this course Mr. Ayrton, the First Commissioner, appeared to have an objection; but the Chancellor of the Exchequer had put himself into communication with Mr. Fergusson, who was so especially qualified to advise in a matter of this nature, and who, having formerly been professional adviser to the Office of Works, was already well acquainted with the details of the case. Under these circumstances, there were two courses which Her Majesty's Government might have adopted. One was to invite the services of some eminent sculptor, and intrust him with the completion of the work. The other was to invite tenders for the completion of the monument, just as the original designs had been open to competition. After careful consultation with Mr. Fergusson, and a careful consideration of the courses open to them, the conclusion the Government came to was this—that it would be impossible to secure the services of any sculptor of eminence to finish a work designed and so far executed by another sculptor; and that, even if such a person could be found, it could not be expected that he could carry on the work with the same harmony and perfection of execution as its original designer; and that in all probability considerable incongruity would be the result, and that the monument when completed would exhibit traces of the different workmanship, and prove incongruous as a whole. The course, therefore, which the Government finally decided to adopt—though the Correspondence of which their Lordships were in possession undoubtedly at first sight pointed to a different conclusion—was that Mr. Stevens himself should be allowed to complete the work. Mr. Stevens' workmanship, he believed, was of undisputed excellence. Whether his design was original or not, it was highly artistic. However, as Mr. Stevens had exhibited unpunctuality and carelessness in carrying out his business engagements, a contract was now entered into with Mr. Collmann, who had on previous occasions worked with Mr. Stevens, and who had been engaged in connection with a great number of works of art; and while Mr. Stevens was to be intrusted with the artistic portion of the monument, Mr. Collmann was charged with the general superintendence of the work, and the pecuniary responsibility would centre on him. Thus a security would be obtained against any unpunctuality on Mr. Stevens' part. It was calculated that the monument would be completed in two years and a-half, at an additional cost of £9,000—which would raise the whole cost of Mr. Stevens' work to £22,000. Mr. Stevens would be paid by Mr. Collmann, in instalments, on the joint certificate of Mr. Fergusson and Captain Galton, who would see that the progress of the work justified the payments. He thought that the additional cost, though seemingly large, was not greater than they had reason to believe was warranted by the nature and character of the work; and there seemed little reason to doubt that the work, when completed, would be neither extravagant as regards its cost nor unworthy of the object for which it is designed. The course proposed by Her Majesty's Government had this great argument in its favour—that by its means it would, in a short time, be possible to complete this great monument, which had been so long and so unfortunately delayed.

Earl CADOGAN thought that the only good reason the Government could allege for allowing Mr. Stevens to complete the work was because they had failed to find anybody else to do it. On any other grounds they would have been perfectly justified in taking the completion of the work out of his hands, as could be shown by reference to a letter from Mr. Russel, of the Office of Works, dated 22nd November, 1870, in answer to remonstrances on the part of Mr. Stevens as to the way in which he had been treated by the Office of Works. With regard to the originality of Mr. Stevens' design, he would appeal to those of their Lordships who had seen the Scaliger monuments in Verona to say whether there was, if not an identity, at any rate such similarity in

Mr. Stevens' design with them, as to deprive Mr. Stevens of any merit on the score of originality with regard to his monument. He was, however, glad to hear that upon any terms the completion of the monument would be proceeded with.

BETTING BILL [H.L.]

A Bill to amend the Law relating to Betting—Was *presented* by The Earl of Morley; read 1ª. (No. 129.)

House adjourned at Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 19*th May*, 1871.

MINUTES.]—Public Bills—*Second Reading*—Protection of Life and Property in certain Parts of Ireland [129]; Poor Law (Provisional Orders Confirmation)* [148].

Select Committee—Benefices Resignation, [111] Mr. Dickinson *added*.

Considered as amended—Marriage Law (Ireland) Amendment* [93].

Third Reading — (£7,000,000) Consolidated Fund*; Customs and Income Tax* [136], and *passed*.

The House met at Two of the clock.

IRELAND—LABOURERS AND THEIR HABITATIONS.—QUESTION.

Mr. M'CARTHY DOWNING asked the Chief Secretary for Ireland, When he expects to be able to lay upon the Table the Bill for improvements of the condition of labourers in Ireland and their habitations?

The Marquess of HARTINGTON said, in reply, that he had been in communication with the Board of Works in Ireland, and with gentlemen interested in the subject, and would, as soon as possible, lay on the Table a Bill for the improvement of the condition of labourers and their habitations in Ireland. He could not, however, promise that this would be done before Whitsuntide.

SOUTH AFRICAN DIAMOND FIELDS. QUESTION.

Mr. RAIKES asked the Under Secretary of State for the Colonies, Whether he can state what information has been received by Her Majesty's Government regarding the claims put forward by the Orange Free State to the South African diamond fields; whether the rumour is true that the Boers are marching with a large hostile force to demand from each digger a sum of money as an acknowledgment of their alleged rights; and what measures have been taken to prevent any outbreak of hostilities?

Mr. KNATCHBULL-HUGESSEN replied that it was somewhat difficult to answer a Question of that kind without entering into details. But as the matter was of some importance he would endeavour as briefly as possible to state the actual facts of the case. Sir Henry Barkly, the Governor of the Cape of Good Hope, shortly after his arrival in the colony, endeavoured to persuade the rival claimants to submit their claims to arbitration. President Pretorius of the Trans Vaal Republic had acceeded to this proposal; but President Brandt, of the Orange Free State, felt some difficulty in the matter, and subsequently Sir Henry Barkly discovered that the Boers had marched into, and were occupying some of the disputed territory. As soon as he had obtained this information he addressed a strong letter of remonstrance to President Brandt, and ordered a body of mounted police to march to the frontier for the protection of British subjects. The latest intelligence on the subject was contained in a despatch from Sir Henry Barkly, dated 28th March, in which he said that he had just received a reply from President Brandt, stating that the Boers had only been marched into the territory to protect the rights of Free State subjects in the event of certain contingencies, and that he intended to lay the whole matter before the local Legislature on the 3rd of April. Sir Henry Barkly did not think there was any risk of war, and he (Mr. Knatchbull-Hugessen) must say that he appeared to have acted with great prudence and energy, and Her Majesty's Government had full confidence in his ability and discretion. In consideration of the great number of British subjects who were already at the diamond fields, and of the growing increase to their number, there was an absolute necessity for the establishment of some settled government, and a strong wish had been expressed that the British Sovereignty should be extended over the whole settlement. The Griqua chief, Waterboer, strongly desired to place his country under British rule, and, pending arbitration, the Government had advised Her Majesty to accede to that proposal, on the understanding that the Cape authorities should accept the responsibility of governing the territory. Instructions to that effect would be sent out immediately, and he had every reason to hope that the results would be satisfactory.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL—(*Lords.*)—[BILL 129.]

SECOND READING.—ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May], "That the Bill be now read a second time;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to continue 'The Peace Preservation (Ireland) Act, 1870,' beyond the date settled by that statute,"—(*The O'Conor Don,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. JOHN MARTIN: Mr. Speaker, and hon. Gentlemen—I was interrupted in my remarks on the last day we were discussing this Bill by the Rules of the House; I wish now to say a few words in addition to what I have already addressed to you, and I shall try, Sir, not to be long, or to weary the House. As the Representative of the county of Meath, I feel myself compelled to make some remarks in respect to certain imputations cast upon the sheriff and sub-sheriff of Meath by Mr. Seed, one of the witnesses relied upon, I believe, principally by hon. Gentlemen who have introduced this measure—called a Bill for the Protection of Life and Property in certain parts of Ireland. I shall refer, first, to the question which preceded this gentleman's statement. In page 91, Question 2355, Mr. Seed makes several remarks in respect to the manner in which, according to his judgment, jury panels are constituted in Ireland, and he gives his advice to the Government as to how they should be selected and framed. But I shall not stop to discuss here Mr. Seed's theory of juries; I shall go on at once to the imputation which he has cast upon two of my constituents—namely, the sheriff and sub-sheriff of the county of Meath. Mr. Seed said, amongst other things—

> "A class of jurors will be found on all the panels of petty jurors in Ireland, as now constituted, who are wholly unfit to be entrusted with the trial of any prisoner for an agrarian crime. . . . . . The formation of the petty jury panel is now entirely at the discretion of the sub-sheriff, who is often the friend of, and influenced by the attorney for the prisoners."

He went on to recommend, that in certain cases the jury system should be altogether suspended, and added—

> "Now, it may be said that by adopting this latter measure, the people will be deprived of their constitutional right; but it would not do so one whit more than the suspension of the Habeas Corpus Act,"

in which I entirely agree with him; and he goes on to say, it would never do to do the same as was done with regard to the North of Ireland—

> "It would be dangerous to risk it there, and would furnish good ground of complaint that the innocent were made to suffer with the guilty."

The same gentleman went on to state at page 95, Question 2395—

> "I think that the state of the petty jury panels in Ireland at this moment is perfectly frightful; it is utterly absurd at present, in my opinion, to expect that justice can be effectually administered if the petty jury panels are not amended. Now, for instance, take the jury empanelled for the special commission in Meath last June. I would not have returned that panel, nor would I, as Crown Solicitor, have ventured to prosecute a case for the Government at the quarter sessions, if the persons returned on that panel were to try the cases; I knew them to be influenced by fear; I knew some of them to be implicated in the Ribbon conspiracy, and quite unfit to try any case."

And then he states that, being asked whether he made any representation of this important fact to the Government—

> "I had a consultation at the Castle with the Attorney General, and the Attorney General was quite shocked, as he well might be, when I handed him the panel for the special commission of Meath. He said to me, 'What do you say to this?' I said, 'Leave the matter to me, I will select a jury;' and three days before the commission opened I wrote to the inspector of the county, and desired that he would have every sub inspector from each district in the county before me, in order that I might go through the panel and ascertain the character of each juror; the consequence was that I set aside 47 of the gentlemen, and I succeeded in getting a jury of six Roman Catholics and six Protestants, one of whom was a Presbyterian,"

as I (Mr. Martin) am. Mr. Seed held that nothing could be fairer than this, and further states that he thinks the panels in the North of Ireland are generally better than those in Westmeath and Meath, and that the sub-sheriffs in the North are more respectable men, and are not so likely to be influenced as those of Westmeath and Meath. Now, in reference to that statement, I have to remark on behalf of the sub-sheriff of Meath, that the panel which Mr. Seed declared, in consultation with the Attorney General for Ireland so shocked him, was framed in this way — The high sheriff and the sub-sheriff met, took the books, and went, barony by barony, throughout the county, selecting the names of two of the highest ratepayers in each barony, and after exhausting it in that way they went back and took two of the next highest ratepayers, and in that way was the panel formed, and after that was done the high sheriff signed his name at the foot, and then it became the legal panel for the commission. Mr. Seed, however, is the Crown Solicitor, and I suppose above the law. Nevertheless, it is true that these two functionaries, the Attorney General and the Crown Solicitor—two Government functionaries, whose business it is to set an example of obedience to the law—I insist upon that—these two gentlemen set aside the legal panel and framed a panel of their own. But what opportunity has Mr. Seed, who is relied upon by the Government for this exceptional legislation, of forming an opinion of the state of this part of Ireland? How is he qualified to give such authoritative information? He is not a native of Westmeath or Meath; he has not a residence there; but he merely receives £300 a-year for acting as Crown Solicitor, in discharge of which duties he visits the county three times in the course of each year. And this is the man who presumes to say he knows the state of Westmeath and Meath better than the sheriff and sub-sheriff, and who takes upon himself to pronounce upon their ignorance—to make a new panel and set theirs aside. Mr. Seed, in one of his answers, says the panel was bad, because he knew it contained the names of some Ribbonmen; and if that were so, Mr. Seed ought to be put in gaol, if, knowing a man to be a Ribbonman, he did not come forward with his evidence and prove it. [*Laughter.*] I have no doubt it seems rather strange to some hon. Members to hear a mere Irishman like myself insisting that the law ought to be respected and carried into execution in Ireland, but such is the case. They may think that law is a good thing for England, but that it is too good a thing for Irishmen who, like myself, entertain and acknowledge Irish sympathies. Mr. Seed can have no means of knowing anything about Meath or Westmeath, except what he learns from the police; and if the police know any man who has committed a crime it is their duty to give their evidence and bring him to justice; but the law says no man is a criminal until he has been pronounced guilty in due form of law. The true character of the Bill which Parliament is asked to pass is that it will give to the Chief Secretary for Ireland and the Lord Lieutenant an indemnity to break the law, and the giving of this indemnity was argued for by hon. Members—including, among others, the right hon. and learned Member for the University of Dublin and some Irishmen of patriotic tendencies — on the ground that the two English gentlemen to whom it is proposed to be given are conscientious honourable men, and that it is certain they will not injure any man in Ireland, except by mistake or accident, and that they are not disposed to use any absolute power placed in their hands except for the public good. I admit that experience shows that the conduct of the Lord Lieutenant and the Chief Secretary for Ireland has been temperate, moderate, and anything but cruel, because since August last it has been in their power to ruin any Irish national journalist at their pleasure if they found him writing anything which they disapproved of; and yet I have the pleasure of being able to state that they have not yet ruined any journalist in Ireland, though I cannot doubt that sentiments contained in the Irish national journals are very displeasing to them. The noble Lord the Chief Secretary for Ireland, in moving the second reading of this Bill, remarked that he thought the Irish national journals were free enough, and perhaps he meant it; perhaps he is surprised that, notwithstanding a sword of Damocles hanging over the heads of each of the Irish national journalists, they have still the courage to give utterance to their sentiments. But I do not like, and I cannot reconcile myself to, that state of things. I do not like that any Irish journalist, any more than an English journalist, should have to write his political opinions under sufferance; and I would have every journal in Ireland, whether advocating English or Irish interests, to be only in fear of a just law, and to fear no man's displeasure. The right hon. Member for Oxford University (Mr. G. Hardy) has said that, if England were in a state such as it was admitted certain parts of Ireland were in, he would not hesitate for a moment to pass a Peace Preservation Act for England; and then he went on to lecture the hon. Member for Cork County (Mr. Downing) as an Englishman speaking to an Irishman, *de haut en bas,* usually did, declaring that those who opposed this measure were not the true friends of Ireland, and setting aside the proposal of a Royal Commission by saying that it would be useless to appoint a Commission where it was impossible to obtain evidence. The parallel with England, however, did not end with the Sheffield case. I have been requested by a correspondent in the North of England to ask the hon. Members for Newcastle, Sunderland, and Tynemouth, whether it is not true that in the shipwright trade, the building trade, and other trades in the towns they represent, the employers of labour are in a state of vassalage to their workmen; and whether, during recent strikes in Newcastle, non-union joiners and other workmen are not, in spite of law and employers, intimidated into leaving the neighbourhood and giving up their work. According to my correspondent, who has written to me on this subject unsolicited, it appears that intimidation is not confined to Ireland. I have also been desired to ask the hon. Members for Lancashire whether the Judge at the late Assizes in that county has not declared that the crime of England was now more appalling than that of any other country in the world? It appears to me, from this sort of evidence—and I could obtain more if I searched for it, though this has been voluntarily communicated to me—that I can show there is a great extent of intimidation, and a great amount of criminality prevailing in England. I shall merely read from the Report the actual facts with regard to crime in the three counties of Meath, Westmeath, and King's County for 14 months, ending February 28 of this year. In King's County there were no murders, but there had been two attempts at murder; in Meath, no murder, and only one attempt at murder; and in Westmeath, three murders and four attempts at murder. That is, in the three counties, three murders and seven attempts at murder during 14 months. It would be absurd to suppose that English Gentlemen, having some knowledge of the state of crime in English counties, would bring in a Coercion Bill for the purpose of dealing with three murders and seven attempts at murder. But then it was said there was another reason for its introduction—that of threats and intimidation. But before I proceed to read the number of cases of intimidation in the police Returns, I shall venture to give my own opinion upon the matter, which is that my method of dealing with threatening letters and notes is to throw them into the fire, and the best way to deal with intimidation is to turn a deaf ear to it. [Colonel STUART KNOX: But if a bullet went through your ear?] Why, then I could not do it; but if that were done it would be an overt act, and would be a matter that must come before the law, and let the law deal with it. The total number of threatening letters returned leads me to remark that a mischievous wag, if he were a good penman, might write the whole 213 threatening letters and documents, and get through them all in a single day. And then I am ashamed to see this great Assembly of English, Irish, and Scotch Members proposing to tear the free Constitution of England to tatters for the sake of 213 threatening letters and notices, and cases of intimidation. I say the present law can deal with any disorder whatever existing in Westmeath or in any part of Ireland as easily and as effectually as it deals with disorder and crime in England. I will not further weary the House, but before I sit down I will state that I have a vast deal more that I should like to say upon this question, but I am aware that there is a moral as well as an intellectual gulf between me as a mere Irishman expressing the sentiments of a vast majority of the people of Ireland, and persons of the other two countries. And it would require a great number of speeches before I could bridge over that gulf. I cannot, therefore, make myself sufficiently *en rapport* with the people of England in a single speech, and it is with great reluctance I have been induced to make the few remarks to which I have given utterance.

SIR HERVEY BRUCE said, he intended to vote for the second reading of the Bill, relying upon the Government to defend the course they had taken, and the responsibility they had incurred. His justification for voting for the second reading of the Bill was, that he was sure, from what was known of the antecedents of the First Minister of the Crown, he would not ask the House to pass such a measure if the interests of the country did not require it; and he felt he should be wanting in duty as an Irishman if he did anything that would retard the passing of such a Bill. They had listened to the long and elaborate argument of the hon. Member for Meath (Mr. John Martin), and he confessed he was somewhat amused at his argument, which went to show the illegality of everything that was done by the British Parliament. But what did he call illegality? Did not the English and Irish people sanction their Houses of Parliament entering into an union of the two countries for the ruling of both by an Imperial Parliament? Doubtless, others said that the Irish Parliament before the Union was a corrupt Parliament, and that it was bought with English gold; but he (Sir Hervey Bruce) would be sorry to cast such a slur on his countrymen as that; but, even if that were the case, had he (Mr. John Martin) greater confidence in the public morality of the present day if he got the object of his ambition—a Parliament in College Green —to think that if England wished to buy an union between the two countries, that English gold would have the less effect now than then? The hon. Gentleman appeared to assume the name of Nationalist and the exclusive right to speak for the Irish people; but instead of that he spoke the sentiments of a small portion of the people of Ireland, and by no means the opinion of the great majority of the peaceful people of that country. The hon. Member for Sligo (Mr. O'Conor) had thrown the taunt to that side of the House that the poor of Ireland had no friends, as much as to say he was the friend of the poor. In reply to that taunt, he maintained that there were many hon. Members who wished to see capital in Ireland remain there, and also to see capital introduced from England, and that they were the true friends of the poor, and not those who held that the poor had a right to use threats. ["No, no!"] He begged pardon; he had heard it argued by an hon. Member that threats might be used in order to do away with the oppression of landlords. ["Name!"] He was not prepared to produce the very words of the hon. and learned Member for King's County (Mr. Serjeant Sherlock); but his impression of what had been said in that House by the hon. Gentleman was, that people were justified, in times past, in using threats. ["No, no!"] If he misrepresented the hon. Member—and hon. Gentlemen opposite intimated he had done so—he would at once retract the words he might have misquoted. The hon. Member had also said that since that Bill had been threatened all the suspected persons were leaving the country; but surely that was no good argument against the measure. If the Bill had a blot, it was that power was not given to arrest those men within any part of the three Kingdoms. He thought it was very doubtful whether the remedial legislation adopted by the Government during the last two years would satisfy the Irish people, or whether they would still demand more, although he believed they had already received justice, and even more than justice. Crime of an appalling character still stalked abroad. ["No!"] If the hon. Gentleman who dissented had five shots fired at him as he was walking about, as was the case with a clergyman who had been mentioned, he would not be so ready to challenge his statement. The right hon. Gentleman the President of the Board of Trade said he quite agreed with the policy of the noble Marquess (the Marquess of Hartington), and he was glad to hear it, because they owed a deep debt of gratitude to the noble Marquess for coming down to the House at once, when he saw the state of crime which existed, and manfully facing the difficulty he had to meet. The right hon. Gentleman (Mr. C. Fortescue) had referred to the apprentice boys of Derry; but those apprentice boys, when grievously provoked and tempted by the Government officials to break the law in one of their celebrations, had refrained from doing so, and kept within the bounds of the law. What they commemorated was a glorious change in the Constitution of the country, and at one period their Roman Catholic fellow-townsmen were not ashamed to join in their processions.

MR. SPEAKER intimated that the hon. Member was wandering from the question.

SIR HERVEY BRUCE would not pursue that point further, and would not have touched upon it at all but for the observations of the right hon. Gentleman the President of the Board of Trade. With reference to the observations made by several Irish Members opposite, that some change was necessary in the constitution of the police, he thought that while they gave undoubted proof of capacity to deal with rioters, they were, on the other hand, utterly useless to the magistrates at a time when the latter required assistance in the detection of crime. The object of all Irish Governments, of whatever party, appeared of late years to have been to centralize the power of the police in Dublin, so that they might be ready, as a body, to be marched out whenever the Government required them to do so. No doubt, some such force was needed in Ireland, especially in the present state of the country; but he believed great advantage would be gained by the Government by the appointment of a body of detectives, either in the police force or apart from it, provided those detectives were under the immediate control of local magistrates, who could procure information which resident magistrates were not able to obtain. In conclusion, he entreated the Government not only to convince his countrymen of their firm intention to maintain the law and make crime odious in Ireland, but to legislate in their behalf judiciously, mercifully, and kindly; so that, through the benefit they would thus confer, hon. Members who opposed these coercive measures might gratefully own a judicious change in the affairs of Ireland.

SIR PATRICK O'BRIEN said, that a nobleman of great eminence both in literature and politics, formerly a Member of the Cabinet of the Government of hon. Gentlemen opposite, once used this remarkable expression—"The violation of law is a great evil—the suppression of law is a greater evil." These words of Lord Lytton constituted the text of hon. Gentlemen, who, like himself, opposed the Bill before the House. Let the House contrast the state of society in Ireland in the year 1833, when Lord Lytton spoke, with that of the period then under consideration. In 1833, in a province which hon. Members opposite would scarcely term the least civilized province of Ireland (Leinster), there had been in the preceding year no fewer than 103 cases of murder; and it was at that time that the late Sir Robert Peel had delivered his celebrated speech upon Irish crime, and he regretted that the right hon. Gentleman the Member for Oxford University (Mr. G. Hardy) had not before his mind this opinion of his former Colleague, when he ventured to taunt Irish Members with the course which they then deemed it prudent to pursue. The state of crime in Ireland, if not as extended as in 1833, was yet far in excess of its state at the present time. As a young man he had gone the Leinster Circuit, and he had a vivid recollection of the lamentable fact that in the towns of Clonmel and Nenagh the Judges of Assize had been employed for weeks together in trying cases of agrarian murder. Yet what was the condition of Tipperary at that moment? Why, it was characterized by a total absence of crime, and might almost be denominated a model county. Again, let them refer to Monaghan, Louth, Cavan, and other counties from 1847 to 1852, and still later to Mayo and Meath, and what did they observe? In many cases a total, and in others a manifest diminution in crime; in short, he might say that nearly every speech which had been delivered during that debate might have equally well have been delivered in former years in regard to those counties, in which, however, peace had been established without having recourse to the unconstitutional principles embraced in the Bill under their consideration. There had been no suspension of the Habeas Corpus Act; and he believed that, in the long past history of disturbances in Ireland, that was the first occasion upon which it had been attempted to suspend the Constitution for the purpose of suppressing social as distinguished from political crime. The famous surgeon, Hunter, had designated an operation as *opprobium medici.* He (Sir Patrick O'Brien) believed that the Bill of the Government merited a similar appellation. It exhibited but little statesmanship upon the part of the Government to come down to that House, and, whilst acknowledging that the existing law had proved efficacious elsewhere, to say that in this narrow Westmeath circle the whole might of the Government was powerless to cope with existing crime. He felt that in the course of the debate this Bill was too much regarded as a mere police Bill affecting a small county. To his mind it presented itself under a much more enlarged aspect. He would ask permission to regard it not as a measure directed towards a small district, but with reference to its political effect upon the whole of Ireland. The great measures of the past two years had been passed with an intention, no doubt, to improve the material position of the Irish population; but they had a further, and, in his opinion, a much greater object, to conciliate classes, remove religious differences, and lead to permanent peace and harmony in the country. Having regard to the short time which had elapsed since their passing into law, they had worked marvellously in that direction, and he had no doubt that time would immeasurably increase that good result; but what would be the effect of this measure of coercion in relation to the action of those measures? Why, a people rendered naturally suspicious by the course of former legislation, who were, to some extent—no matter, for his argument, how little—recovering confidence in the equity and kindliness of Imperial legislation, would have their confidence weakened, if not entirely destroyed. Factious or disaffected men in Ireland would work upon their feelings, and old impressions would point to this measure; would use it as a weapon against all Governments, and would dwell with bitter irony on the conduct of Government, who, whilst proclaiming conciliation, inflicted coercion, and that, too, at a time when the country, as compared with former times, was almost free from outrage. For his own part, he would venture to enunciate a proposition which, though it might not be accepted in that House, he yet firmly believed that, even for the sake of argument, admitting the state of Westmeath to be, in the words of the noble Marquess, "intolerable," it yet would, as a matter of public policy, be better to endure for a short time such a state of things, and rely on time for a remedy, rather than agitate the entire country, unsettle confidence, and destroy that repose which he concurred in believing to be essential to Ireland. The cry in Ireland, he feared, would be that we had introduced the French law of "suspects," and that Ireland was, as heretofore, to be ruled by police, and this consideration led him to make a few remarks upon the speech of the right hon. and learned Member for the University of Dublin (Dr. Ball). That right hon. and learned Gentleman addressed the House from a lawyer's point of view, and suggested lawyers' remedies. He appeared as the advocate of personal government and of an exclusive jury law. He concurred with him in saying that the Executive Government of Ireland—except as regarded patronage, which flowed through another channel — whether Whig or Tory was in power, was the Government of the lawroom in Dublin Castle. He (Sir Patrick O'Brien) felt that every lawyer in power said to himself—"I have been well instructed in the principles of the Constitution, and can rely upon my constitutional principles to prevent my ever unduly straining any power that may be entrusted to me;" and, having thus convinced himself, he is willing, nay desirous, to take any amount of power which that House might entrust him with. He (Sir Patrick O'Brien) believed that House would never consent to abdicate its functions, and to hand over the Government of over 6,000,000 people to three gentlemen in a room in Dublin Castle. For his own part, he would not for a moment retain the seat which he had the honour to hold in that House on such conditions; he believed that men of all parties in Ireland should be taken into the confidence of the Government, and consulted on the course which they might think advisable to pursue. He did not pretend to say that this being done, it would much affect the nature of the legislation; but it would tend to produce confidence. As regarded the Peace Preservation Act, his hon. Friend (The O'Conor Don) had already expressed his opinion upon that subject, and he should support his Amendment as far as it went, although being opposed to the Bill in its entirety. Yet the question on his Amendment would be that the words "the Bill be now read" stand part of the question, and to that proposition he should say No. In Committee, perhaps, would be the proper time to ask the Government why six baronies of the King's County were included in the Schedule to the Bill, whilst the evidence in the Report referred to only a small district, taking the town of Clara as a centre, and using a two mile radius; however, as he said before, he should reserve the question for Committee. In conclusion, he should vote both for the Amendment of his hon. Friend, and afterwards against the second reading of the Bill.

Mr. DIGBY said, he could not vote for the Amendment of the hon. Member for Roscommon (The O'Conor Don) lest it might be inferred that he accepted the prior portion of the Bill which suspended the liberty of the subject. He protested against the whole Bill, and he had no doubt that his hon. Friend the Member for Cork County (Mr. Downing) would take another opportunity of enabling such of the Irish Members as agreed with him to record their votes decisively against the whole Bill. However deplorable might be the existence of crime in Westmeath—and Irish Members were the first to be ashamed of it—still they believed that the measures which the Government were proposing for the suppression of that crime were so severe that they would arouse a bitter feeling of hostility throughout the whole country. Hon. Members who had taken the trouble to read the evidence given before the Select Committee would have observed the immense power which was already given to the police for dealing with these crimes. He agreed with the hon. Baronet the Member for the King's County (Sir Patrick O'Brien) when he said that, viewing this question in a high political aspect, it would have been better for the Government to have shut their eyes to the dreadful state of things that existed in Westmeath, trusting to the ordinary law to put an end to it, rather than endanger the security of good order and the principles of government.

Mr. SYNAN said, the Bill was opposed on constitutional principles. The Bill was a suppression of the Constitution, and he trusted that the Constitution would be as much respected in Ireland as it was in England; if it were not, how could it be expected that the Irish people would be found linked to the English by common principles and common interests? The Irish people would feel the Bill to be an insult and a wrong. He objected to a law, as applied to Westmeath, affecting the lives of hundreds of thousands of innocent people on account of the crimes of a comparatively small number of miscreants. The noble Lord (the Marquess of Hartington) who introduced the Bill admitted this objection. He said the Bill was without authority and without precedent, and it was unconstitutional. What was the excuse which the noble Lord had advanced for bringing in the Bill? He said that if it had been brought in last year, or at any time since the Union of England and Ireland, the Act would not have been justifiable, but that the Land Act of last year formed his justification for bringing in the Bill of this year. The noble Lord had not gone to the bottom of this conspiracy. He would refer the House to a most conclusive authority on the subject, in the evidence given before the Committee of 1852 by Colonel Brownrigge, the Inspector General of Constabulary. Asked from what ranks the Ribbon conspiracy was recruited? he replied from the agrarian—the agricultural labourers, who were miserably paid and lodged, and consequently to a certain extent were reckless, ready for insurrection, to commit crime, or to become members of secret societies. The witness added, that if anything could be done to ameliorate their condition it would be highly desirable. That evidence had been signally confirmed by one of the witnesses examined before the recent Committee, for Mr. Boyd, a county magistrate, said that the ranks of the society were composed of agricultural labourers, servant boys, and railway labourers to a remarkable extent. And what had the Government done to improve that condition? If they had done nothing they had neglected their duty. If the noble Lord or his predecessors had not removed the cause of their complaint, his excuse for bringing in the Bill was no excuse at all. What was the other argument brought forward as the justification for this Bill? That the Government could not get verdicts in Westmeath; that they could not get evidence to secure verdicts. But the argument was used by Pitt years ago, when he applied for a suspension of the Habeas Corpus Act. Fox scoffed at the application and the reason for making it. The suspension could not, he said, be granted for constructive treason, or for anything short of treason itself. The idea of suspending the Habeas Corpus Act for ordinary conspiracies had never till now entered the minds of the Ministers of this country from the passing of the Act in 1679. How, then, would the noble Lord justify his Bill before the country? He (Mr. Synan), however, would admit that the state of things in Westmeath was very bad. But which of the two alternatives was the best—on the one hand, suspending the Constitution, in violation of the principle and the settled practice in that House, and in violation of constitutional authority; or, on the other, leaving the state of things in Westmeath to be settled by the stringent law existing in Ireland, and to be ameliorated by the operation of the land law of last year? What would be the condition of public feeling in Ireland if the country were insulted by such an Act? How long had this conspiracy been in existence? From 1785 to the present moment; and in 1852 it was spread over four counties. In 1785 there was a Protestant conspiracy, at all events there was a Protestant body called The Peep o' Day Boys, followed by a counter body called The Defenders. The Peep o' Day Boys then changed their names to Orangemen, and the Defenders changed theirs to Ribbonmen, and these two societies existed side by side in Ireland down to 1798. After that year the Ribbonmen became an agrarian body, got up to threaten landlords, to prevent evictions, and occasionally to shoot down the landlords who had become obnoxious. But down to 1852, or, perhaps 1868, it was purely an agrarian conspiracy, interfering only with the connection between landlord and tenant; after that time, it begun to interfere with the relations between employer and employed. Mr. Drummond, when examined in 1839, said the Ribbon Society was not intended directly for the purpose of outrage, but as a defence against the eviction of the people in a wholesale manner. He believed that the Roman Catholic clergy had denounced the movement. The right hon. Gentleman the Member for the University of Oxford (Mr. G. Hardy) had not dealt justly with the evidence of the right rev. Bishop Nulty, who had told the Committee that the centre of the organization was not in Ireland, but in England—in Manchester, in Glasgow, and in Liverpool; and that the Irish were not the heads of the conspiracy, but only the active agents. The conspiracy, in fact, so far as it related to the relations between employer and employed, must have taken pattern by the English trades unions. If that were so, what answer would the noble Lord and the Solicitor General for Ireland give to the Irish people when they asked—Why not suspend the Habeas Corpus Act in your own large towns, in order to arrest the heads of the conspiracy in England instead of suspending it in Westmeath, where you can only arrest the agents? That question would be asked on every platform in Ireland. But would that Bill be a remedy for the state of things which existed in Westmeath? If there was anything like certainty of this given in the evidence taken before the recent Committee, there might be some excuse for proceeding with this legislation. But none of the witnesses ventured to express such an opinion. On the contrary, the Rev. Mr. Crofton, who, being a clergyman, a landlord, and a magistrate, would answer to Mrs. Malaprop's definition of Cerberus, "three gentleman at once," declared that the suspension of the Habeas Corpus Act would be useless, unless at the same time landlords were permitted to evict their tenants after a month's notice, and unless the tenants so evicted were deported to Canada. His opinion also was that the result of the suspension of the Act for two years would be, that the men for whom it was intended would, at the end of that time, go about again foaming at the mouth like dogs. Mr. Mooney said the mischief could be cured by a courageous police and an efficient magistracy. Captain Talbot was asked in what way would the suspension of the Habeas Corpus Act have a permanent effect? And his reply was—

> "If it were once done, it might be done again. Let the Habeas Corpus be suspended for two years; and if it does not produce its effect suspend it for another two years."

In other words, the Suspension Act was to become permanent by repeating it constantly for spaces of two years. In conclusion, he would ask, by whom was the Act to be executed? He defied the Solicitor General for Ireland to point to the evidence of any single witness in support of the view that this measure would be of any use except to arrest a few suspected characters. The present Lord Lieutenant was everything that a man in his position ought to be; but under this measure all that he would have to do would be to issue *lettres de cachet,* which would be put in force by the police, and he should therefore oppose the Bill, because he believed it would exasperate public feeling in Ireland, and because it would inflict a wound upon the Constitution of that country from which it would never recover.

Mr. SAUNDERSON said, he entirely disagreed with the arguments of those who opposed the Bill; because, so far from regarding it as a measure repressive of liberty, he regarded it as calculated to insure liberty in that country; to give the landlord an opportunity of living; to give the tenant a right to hold his land without running the risk of losing his life; and to give the labourer a right to enter the service of whom he pleased, and to go to and from his place of daily work in safety and peace of mind. He did not deny that it was a lamentable thing that a measure of this kind should have to be introduced; but had Her Majesty's Government not brought it in, they would, in his opinion, have entirely failed in the first duty of a Government, which was to protect life and render the possession of property enjoyable and secure. He confessed that when he heard that a Select Committee was to be appointed his heart failed him, because he did not believe that the result would be to throw much light upon the subject; but he was mistaken, for the evidence had been of the greatest value, and the result of a long consideration he had given it was that he would venture to say that it would be of great importance if a power could be given by which a criminal could be followed from Ireland and arrested in England. The object of the Bill before the House was to render some counties in Ireland too hot to hold these men, and he thought that the whole of the United Kingdom should be rendered too hot for them. He hoped that English Members would not associate the whole of the country with these crimes, because he believed that the vast majority of Irishmen were opposed to this abominable system, and wished to see it put down. Unfortunately, however, there was a time when these crimes did to a certain extent receive the sympathy of a large portion of the people. That time was probably the time when Bishop Nulty spoke favourably of the Ribbonmen; but at that time the Ribbonmen shot only landlords. Since that time, however, they had incurred Dr. Nulty's displeasure, for they had taken to shooting tenants and labourers, and even Members of Dr. Nulty's flock. He was glad that the Select Committee had been appointed, if its only result had been to show that there was a Bishop, who set himself up to be a minister of the God of Peace, and yet, from what he would call cowardice, was afraid openly and manfully to condemn murder. ["No, no!" *and* "Hear, hear!"] Well, he hoped he was mistaken, but that was, at all events, the impression which Dr. Nulty's evidence conveyed to his mind. He believed, also, that this Bill would tend to increase the good that was being done by the recent legislation for Ireland. As for the argument that they might wait for time before passing this coercive measure, that was all very well for philosophers, who had no personal interest at stake, or life to be endangered; but the landlords who expected to be assassinated could not wait; the tenants who thought they were going to be shot could not wait; nor could the labourers, who feared that they had incurred the animosity of the Ribbon Society. Before he sat down he would say one word as to the future of Ireland. He had been able to detect already a spirit of satisfaction among the people—the result of the Land Bill; and he looked forward to a time when criminal outrages would be repressed by the aid of the whole population. He desired, in conclusion, to say a word or two with reference to the speech of the hon. Member for Meath (Mr. John Martin). That hon. Member looked forward to the time when Ireland would be dissevered from England. It was a matter of opinion, not, perhaps, entirely relevant to this question, but he also believed that that time would arrive. He believed that the Ballot would be the means of bringing to that House, men whose views would be so entirely discordant with those of the great majority of the English people, that the English people would become tired of being ruled according to the will of the Irish Members; for, although in a minority, they would hold together, and that would be practically the result. And though the hon. Member would not consent to vote in that House, and disapproved that Parliament, the hon. Member would, no doubt, acknowledge that, even in that Parliament, a man bringing forward views unpalatable to the majority, if he did so in a honest, straightforward and candid manner, was listened to with respect and attention. He should cordially support this measure, believing that it was thoroughly in accord with the feelings of the majority of the people of Ireland.

Mr. CONOLLY said, he would also express his approval of the Bill, and would observe that a year ago he had recommended to the Government the adoption of this step; because it was within his own personal knowledge that there was no other effectual method of repressing secret outrages in Ireland. It had been well said by the hon. Member for Cavan (Mr. Saunderson) that the humbler classes of this district of Ireland had required the protection of the law, as much as the landlords; and it was high time that this Bill should be passed, in order that they might be rescued from a state of worse than Egyptian bondage, which threatened their lives and threw its dark shadow over their homes. In his own county, some years ago, the suspension of the Habeas Corpus Act effected its purpose instantly, while the list of suspected persons was on its way to the Government, all these persons disappeared from Ireland of their own accord. It seemed to him that not even the most constitutional lawyer in the kingdom could object to this measure of coercion, seeing that the power of authority had been so boldly defied by the secret societies of Westmeath, and that a state of things prevailed that set all law at defiance. He believed the day had come, or soon would do, when the South would join the North in respect for the law, and would be of opinion that the best day that had ever dawned upon Ireland was the day when that country was united to England. He was happy to say that Ireland had forgotten many things which it was desirable to forget, and had learned a great many things which ought to be remembered. The people had learned to respect their Catholic fellow-countrymen, and were glad to see them in the same position as other hon. Members in that House, and with them enjoying equal privileges. The University of Dublin had now amongst its members many gentlemen professing the Roman Catholic religion, and Mr. Justice Keogh, in his recent lectures, had pointed out the immense advantages which Ireland had derived from English rule. He must say he was entirely of the same opinion as the learned lecturer, and believed that the people of Ireland had derived great advantages from their connection with this country. He believed that the Union between the two countries to be a real, active, and vital union, as it was utterly useless for any hon. Gentleman, as the hon. Member for Meath (Mr. John Martin) had done, to state that he would never acknowledge the right of Parliament to manage the affairs of Ireland. That country had accepted the Union in every one of its parts. Commercially and legislatively we were one people, and he trusted that every day would tend to render that Union closer and closer.

Mr. AGAR-ELLIS, in supporting the Bill, observed that great stress had been laid by the hon. Member for Roscommon (The O'Conor Don) on the injustice of taxing the innocent for the punishment of the guilty. But those who looked on at the crimes which were committed could not be regarded as innocent persons; and if the farmers would only speak out what they knew, neither Fenianism nor Ribbonism would exist in Ireland. He regarded the tax as a tax on cowardice and indolence, and did not know any two luxuries that better deserved to be taxed. Dr. Nulty, in his evidence, had pointed out the value of the patrols for the prevention of crime, and such recommendation had received the approval of the noble Lord the Chief Secretary for Ireland; but it should be remembered they never appeared alone —that they always went out armed, and in cases of emergency even carried firearms, and he would leave anyone to judge how many malefactors were likely to be taken up by such officers. He believed that the best remedy for the detection of offenders would be the employment of a separate class of men—

plainly-clothed men — who would be much more likely to detect crime than the men now employed for the purpose.

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE) said, he was not sorry that the question had been discussed in all its various bearings; it was very right that it should be so, as, although they were technically dealing with the Amendment of the hon. Member for Roscommon (The O'Conor Don) only, they were practically also discussing the Motion of the hon. Member for Cork (Mr. Downing) for the rejection of the Bill on the second reading. The Bill consisted of two portions; one relating to the suspension of the Habeas Corpus, as it was called, the other to the continuation of the Peace Preservation Act. The first portion of the measure was by far its most important part, and the justification of the Government for bringing forward that Bill depended upon the state of society and of crime in the county of Westmeath and in the adjacent parts of Meath and King's County. He would put before the House a few figures, not drawn from imagination, although that fertile source of arithmetic had been freely placed under contribution in these discussions, but derived from the Report of the Committee and the Blue Book before them. The Peace Preservation (Ireland) Act received the Royal Assent on the 4th of April, 1870; all its provisions were in force in the district in question. Since then two aggravated Ribbon murders had been committed in Westmeath—that of Mr. Dowling and Mr. Waters—Waters had been spoken of as "a drunken process-server;" he did not know whether it was intended to convey that the man had a worse title to his life on that account than if he had been an advocate of the Permissive Bill of his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson). Since the 4th of April, 1870, there had been two attempts to murder in King's County, two in Meath, and five in Westmeath, even counting two attempts to murder one man at different times as only one attempt. Thus, since the passing of the Peace Preservation Act, there had been within the district included in the present Bill nine attempts to murder and two actual murders; and excepting in one single instance—namely, the attempt to murder Mr. Radcliffe, which was the subject of a Special Commission, not one of the guilty persons had been brought to human justice, and, as far as it was possible to speak of such matters, never would be. In fact, no evidence could be procured upon which any jury could act. He would compare the offences committed in that district in 1869 and in the year 1870-71. In the year 1869 there were four murders and six attempts to murder. In 1870-71 there were five murders and 14 attempts to murder. The hon. Member for Cork (Mr. Downing) said there had been no outrages in Westmeath since February last; but that fact was a most eloquent argument in favour of the Bill, because from the day on which his noble Friend the Chief Secretary publicly declared that the state of things in Westmeath was intolerable, and asked the House for its assistance, lawless and astute men in that part of the country had refrained from lifting their hands against the lives of their fellow-men. Why, that was of itself a justification for the measure. The hon. Baronet the Member for Londonderry (Sir Frederick W. Heygate) had made a mistake in his figures by relying on one of those fountains of inspiration called the London evening papers, which were as frequently wrong as right; for the organ from which he quoted, *The Pall Mall Gazette,* had mistaken the criminal statistics of 1870 for those of the present year. A table was to be found at page 166 of the Blue Book, which contained the account during the years 1870 and 1871 of 274 Ribbon outrages in the three counties of Westmeath, Meath, and King's County, and in only two of those cases had the parties been brought to justice. Was he to be told that the state of those counties was not as bad as that of Cheshire? He believed the persons who committed murder in Cheshire were brought to justice, were tried, and dealt with according to the law of the land; and if the law were found to be insufficient to deal with them he had no doubt hon. Members for Cheshire would be the first to demand something that would strengthen the hands of the Executive. That was the difference between the crime of Cheshire and that of Westmeath. He would next call attention to the Charge of the Lord Chief Justice of Ireland to the grand jury of Meath, delivered on the 27th of February last. The present Lord Chief Justice of Ireland was a man to whose words the greatest weight should be paid; and, although he had differed from him politically, he undertook to say that no Judge brought greater fairness to bear on the trials that came before him than that distinguished man. He could not, in any way, be cited as a Judge who was given to arguing in favour of a foregone conclusion. The hon. and learned Gentleman here quoted Lord Chief Justice Whiteside's Charge, which said—

> "There was no use in keeping back the truth; the report of the constabulary officer of the county on the various outrages showed that the class of persons attacked in that county were stewards, bailiffs, or owners of property; that the state of things in the county was unsatisfactory; that a man's property was set on fire because he was unpopular; that those offences showed the existence of a spirit of disaffection which should be encountered by the strong arm of the law; that they could not have better officials than they had in that county; that it was said there were persons in that county of the same rank as the grand jurors who could not go from their homes or even attend the Assizes there without great danger of being shot — a horrible state of things; that it was dreadful to think that in that rich county, day after day, men should, for some supposed offences against individual interests, lie in wait, watching tiger-like for an opportunity to assassinate their victims."

That was the picture drawn by Chief Justice Whiteside of the county of Meath in February, 1871; and if a different picture could be drawn of its state at present, it was because of the action taken by his noble Friend the Chief Secretary. If, however, the Motion of the hon. Member for Cork were unfortunately carried, the Lord Chief Justice's description would, no doubt, be found again applicable to the state of Meath at some coming Assizes. He had also before him the charge delivered to the grand jury of Westmeath, at the same Assizes, on the 2nd of March, 1871, by Chief Justice Monahan, who had been formerly an eminent member of the party to which the hon. Member for Cork belonged, and who therefore could not be supposed to be influenced in his opinions either by politics or by religious differences—it was sad that it should be necessary to introduce such topics into a discussion of that kind—who said—

> "When I was last here, gentlemen, the county was in an unpleasant state, but I indulged in the hope that things would mend; I find, upon the contrary, that things have proceeded from bad to worse, and that the county is in a state that it is almost impossible for me to conceive or to describe, and one cannot wonder that it has engaged the attention of Her Majesty's Government. I only trust and hope that the proceedings which are now being taken in Parliament will result in measures being devised that will be productive of improvement, and afford some safety to the inhabitants of this county."

Was there anything more distinct than the picture which the charges of these two eminent Judges gave of the state of crime and the condition of society in this district? How are all these facts met? By speaking of coercion and the wrongs of Ireland only to be found in the sad records of the past. What was the use of hon. Members, representatives of Irish constituencies, getting up in that House and talking of "my country" as though there were no other Irishmen in the House but themselves? Ireland was as much his country as it was that of the hon. Member for Meath; in England he did not even possess the lodger franchise, and he appealed to the House whether he did not bear every mark and token of being an Irishman? He was not afraid to acknowledge his country, which he loved no less, because he endeavoured to do his duty by her in the position in which he was placed; and he believed he was not unfaithful to her dearest interests and hopes, as well as to the best interests of his constituents, for he also represented a popular constituency as well as the hon. Member for Meath. The evidence given before the Committee on the state of the county of Westmeath was most conclusive to show the necessity that existed for adopting such a step as that proposed to be taken by this measure. Captain Talbot, in his evidence, when asked whether he thought remedial measures, as well as repressive measures, were necessary in order to improve the state of society in Westmeath, replied that he thought they would be very effective, but that he did not wish to be understood to say that remedial measures alone would ever eradicate Ribbonism; and in reply to another question, as to whether the impression did not prevail in Westmeath that the law was perfectly powerless and unable to reach those offenders, he stated that that was the boast of Ribbonmen, and that notorious Ribbonmen had boasted to that effect. Again, when asked whether the minds of the people were in such a feeling towards the Government of the country that they would adopt a conspiracy like Fenianism if brought among them, he said that he did not think that they would adopt it unless it tended to their own interest; and that he thought that the farming classes of Westmeath were not at all disloyal, that they would not take up any line of action against the Government if they were once rid of this nightmare which was over them; and he also stated that if 1,000 police were quartered on these people they would not give evidence, because if they did they knew they would be punished, either by being shot or beaten, or having their houses burned. Again, Captain Talbot stated that in Westmeath, Ribbonism happened to have a certain number of very determined and daring leaders, which accounted a great deal for the amount of crime and terrorism which that association had produced of late. And yet, this being the state of this district, the only remedy which had been proposed by those who opposed this measure was that of the hon. Member for Meath, which, in view of the fitness of things, should have emanated rather from the hon. Member for Kilkenny — namely, that the people should be armed. The present condition of the district was an answer to such a suggestion. People in the district had to be guarded in order to preserve their lives, and even a widow was obliged to have two policemen living in her house to protect her. Such was the nature of the evidence that had been laid before the Committee. It might be said that the evidence ought to have been tested by cross-examination, but the hon. Members for Cork, for Cork City, and for King's County were on the Committee—all popular Members as the term was—and yet they made no attempt to break down the testimony of the gentlemen who were examined; and, indeed, never suggested that they were not speaking the truth. He was the more particular in dwelling upon this matter, knowing the great influence which his hon. Friend the Member for Cork (Mr. Maguire) exercised in Ireland; and who had another advantage —that his speech would be more fully reported in the Irish newspapers than his (the Solicitor General's) would be. The only advice during this debate that hon. Members gave who opposed this measure, was that things should be left to themselves to get better, but, as he contended, to get certainly and rapidly worse. In answer to a question he had put to one of the witnesses—for which he had been complimented by the hon. Member for Cork (Mr. Downing), whose compliments sometimes meant a good deal more than praise, he would say, in passing, that he always did his duty in these matters, and he would say no more upon the point, because the compliments that a man paid himself possessed no great value—it was stated that, although the Ribbonmen did not constitute the majority of the population of Westmeath; yet, by the course they adopted, they made themselves the strongest, as minorities frequently did when they adopted vigorous measures. The House had been told that they were about to suspend the Constitution; but was not the essential object of the Constitution to secure life, liberty, and property? Surely the House was not bound to adopt the doctrine—

> "Propter vitam vivendi perdere causas?"

If the Constitution was not able to secure life, liberty, and property in Westmeath, something must be substituted for it that would give protection to the honest, the just, and the true. It had been stated in the Committee that evidence could not be got in cases of murder and other crimes of violence. In another portion of the evidence, a statement was made with reference to the case of Anketell, who was murdered at Mullingar for the faithful discharge of his duty; and when evidence was being procured upon the case, the resident magistrate could not secure for the witnesses food, lodging, or the ordinary comforts of life in the capital town of Westmeath. He did not say that the people sympathized with murderers, but they sympathized with themselves: self-preservation was the first law of nature, and it was a law which was respected in Westmeath. He could not blame these people for not bringing themselves face to face with a conspiracy which had all the terrors of the Vehmgericht, and which was of an even worse character, for the member of the Vehmgericht, who was commissioned to carry out the vengeance of the society, struck a dagger in the table of the doomed man as a warning; but in Westmeath a man was shot without, to use the language of one of the witnesses (Mr. Crofton), receiving—"the courtesy of a threatening letter." The Trim station-master of the Midland Great Western Railway Company gave offence to workmen employed on that railway, by detecting workmen stealing coal of the company, and what was the result? To save his life, the station-master lived in a bullet-proof house, guarded day and night by policemen; and this in a town for hundreds of years within the English pale, in the centre of one of the richest counties in Ireland. The chairman of the railway company (Mr. Cusack) stated to the Committee, that the company's line ran from Dublin nearly parallel to a canal belonging to the company for 60 miles; that the management of that canal for the last 20 years had been in the hands of members of a secret society, and that the company could not remove them for fear of the canal being cut, and great damage done to their property. Then there was the evidence of Mr. Mooney, an excellent attorney belonging to the chief town of Westmeath, who received a threatening letter warning him that he would be shot, because he had had the audacity to apply for rent on behalf of an English landlord. Again, Bishop Nulty was asked by the Committee, whether he knew of a man that was called Captain Duffy. He said he did. Why was that man called Captain Duffy—was he in the Guards, or did he take an interest in the Army Regulation Bill? It appeared that this Captain Duffy was an officer of a non-purchase corps; he was called "captain" by his neighbours because he was a captain of Ribbonmen—that was to say, captain of a secret band whose deeds frequently ended in murder. And what did he find that man doing? And he would take the account of his doings from the Bishop's evidence. Proceedings were taken against him by his landlord to evict him, and thereupon Captain Duffy called in the assistance of two gentlemen to value his land before the chairman, in order to get compensation under the Land Act. One of those gentlemen was a magistrate, and Bishop Nulty thought that both were. One of them consented to become a valuator, on the condition that a friend of his, who had been fired at more than once, should not be shot. A doctor, who was the son of that friend, in relating the circumstance to one of the priests of Bishop Nulty, said—

> "One can hardly imagine such a person asking Captain Duffy to pledge his honour that my father would not be shot, and accepting the valuation upon those terms."

Was that a state of society which any man in that House, or any intelligent and patriotic man out of that House, would tolerate? The result of the whole affair of Captain Duffy was this—that the landlord, a clergyman, was shot at, fortunately without serious harm, and an unfortunate process server of the name of Waters, employed to serve the notice to quit on Duffy, was killed. There was nothing in the law at the present time which could deal with that state of things. He (Mr. Dowse) was told that since this Bill was introduced Captain Duffy had gone to America. He wished the locality to which he had gone joy. Did not the departure of Captain Duffy to America, of itself, show the value of this Bill, and the necessity for its immediately becoming law? Mr. Rogers, a resident magistrate in King's County, told the Committee that he got evidence in Fox's case sufficient to show that there were 15 persons who were digging potatoes in a field, and who saw the unhappy man fired at, and heard his screams for assistance, but who never stirred hand or foot to take him from the ground where he was lying wounded. When brought before the magistrates they would give no evidence, direct or indirect. The excuse was—"Sir, I am afraid of being shot myself." Mr. Rogers told the Committee, that terror or sympathy was the reason why the people refused to give evidence; but very often, he thought, sympathy had a great deal to do with it. As to the composition of the Committee, every attention ought to be paid to the Report of the Committee; he did not think that a more representative Committee ever sat. Three popular Members were upon it. They concurred in the Report which was, as it stood, an unanimous Report, and now they say nothing should be done. It was said that no witnesses were examined on behalf of the country by the Committee, but whose fault was that? The Committee were willing to give every facility for the examination of any witnesses on behalf of the country—Dr. Nulty was called by the hon. Member for Cork County. Under all these circumstances, the Westmeath Committee had been compelled to come to the conclusion that the present law was inoperative in Westmeath; that the Peace Preservation Act was not fit to cope with the state of things in that district; and that though the authorities had vigorously carried out the law, still, owing to the causes referred to, in a large number of instances, they had been unable to arrest and make amenable to justice either the perpetrators of the crimes, or the movers and organizers of Ribbon Societies. He respected the opinions of Irish Members as much as any man could do; but he wished to know how they would propose to deal with this state of things? It had been said that it was the duty of the Government, and not of individual Members, to suggest remedies; but when a Member entered his protest against the Government Bill, without suggesting any remedy, and did not deny the facts or dispute the inference from them, he felt bound to ask—Are we to allow these evils to continue to exist in Westmeath; are we to allow people to be handed over bound into the hands of the spoiler; are we to allow the midnight assassin to go about all over the land; are we to allow men to be doomed to death by conspirators, and killed by their agents; or, if not, what measures are we to take to prevent all this? Were they to stand up and say—"Let time be the healer?" But would time heal the sorrow of the widow mourning over her son's grave, that son being her only support? And if they stood by while crime rode roughshod throughout the district, they would be open to a very different kind of criticism. The hon. Member for Meath (Mr. John Martin) suggested that the population should be allowed to arm themselves. Well, that would doubtless produce a solitude, whether it was called peace or not. The idea was certainly an original one; but he trusted it would not be tried in any county he happened to live in, unless he had an opportunity of getting a-year and a-half's notice to quit before the experiment was made. The suspension of the Habeas Corpus Act in this particular district was the remedy suggested by every witness who was examined before the Committee, not even excepting Mr. Seed and Bishop Nulty. When the Habeas Corpus Act was suspended before, only 14 or 15 persons were taken into custody in the county of Westmeath, and in no instance was injustice done. What was found effectual then would in all probability prove effectual now, and Dr. Nulty, though not in terms, practically approved of this course being adopted. Had anybody suggested another remedy? The Government could not leave things as they were. The hon. Member for Cork (Mr. Maguire) had suggested no other remedy, but he had remarked that on a former occasion he (Mr. Dowse) had stated to the House that the Government of Ireland could not be carried on without the Party Processions Bill then before the House. He had stated nothing of the kind. There was a Bill before the House to repeal the then existing law respecting party processions, and to enact a new law on the subject. What he said was, that the Government of Ireland could not be carried on without one or other of these measures, and he still was of this opinion. The hon. Member for Meath had made some further remarks which he wished to refer to; but he could not do so without paying to him a tribute of admiration for his enthusiastic devotion to, what he believed, to be the cause of his country. Long before he came into that House he had heard of the hon. Gentleman, and he believed there was no more single-minded man in that House than the hon. Member for Meath. Although, in his judgment, the hon. Gentleman was wholly mistaken, he had, by reason of the sacrifices he had made for them, every right to speak out his opinions like a man in that House. With much that fell from the hon. Gentleman he entirely disagreed; but this was not a fitting time for entering into a discussion on the wide question of the Repeal of the Union. The hon. Member said he opposed the Bill because it was against law. It was not against the spirit of the law of the land, nor was it against the law of God, Who had said—"Thou shalt do no murder." It might, indeed, be contrary to the letter of the Constitution, but it was certainly not contrary to its spirit. Again, the hon. Gentleman said the Bill was founded upon false and frivolous accusations; but surely he would not pretend that the statements of Dr. Nulty, and of the other witnesses examined before the Committee, were false and frivolous—opinions that had been acted upon by the Committee in its Report? Then the hon. Gentleman objected that the measure would not remove the causes of the crime in Westmeath. Doubtless, that was perfectly true. Medical men, however, were sometimes obliged to attack symptoms; they would not resort to an operation if they could help it, but sometimes amputation was necessary to save the life of the patient. No doubt we must wait for the results of our recent remedial legislation, considering the short time that the Church and Land Acts have been in existence. It must be allowed time to operate on the wrongs and miseries of Ireland; but the Executive Government must take care, in the moment of fruition, that there was a people of Ireland left to reap the benefits of the recent legislation. His hon. Friend the Member for Cork County (Mr. Downing) had referred to the case of a man named Supple, and stated that a memorial was presented to the Lord Lieutenant, containing resolutions which alleged that the case was a got up one. He now held in his hand those resolutions which, like most secrets of the kind, had been published in *The Freeman's Journal.* They were to the effect, that the representatives of certain united parishes in the county of Westmeath took the earliest opportunity of expressing their abhorrence of the attempt on the life of constable Supple, and no charge was made in any of the resolutions that Supple's case was a got up case. He had the authority of Chief Justice Monahan to state the following facts:—The Chief Justice said he was satisfied that the evidence of the constable was substantially correct, and that the outrage was committed, although he was by no means certain as to the identity of the man. That being so, there was an end of constable Supple's case. With reference to Mr. Seed, the Member for Meath asserted that he (Mr. Seed) had, in point of fact, set an example of disobedience to the law by concocting, in conference with the Attorney General in Dublin Castle, a new jury panel. Mr. Seed, if he was inclined, could not do what was alleged. He had nothing to do with the preparation of the panel; that was the work of the sheriff. Mr. Seed got a copy of the panel, and all Mr. Seed did was, in open court before the Judges and the parties, to order men to stand aside when called. He could not frame a new panel, or alter the one in existence, or add to or subtract from it in any way. No doubt Mr. Seed exercised the power of ordering some men to stand aside, and in the exercise of his legal discretion, and in obedience to the rules of his office, he had the power to do so. The hon. Member was completely wrong in imputing any misconduct to the Attorney General for Ireland in reference to the framing of the panel referred to in the evidence of Mr. Seed; and he could speak with the more freedom upon this question, because he was not in any way responsible for the administration of this branch of the law in Ireland. The Attorney General, in a memorandum relating to the circumstances, said that, having been informed by Mr. Seed of the manner in which the panel was prepared, as he would not tolerate a jury packed for the Crown, he certainly would not approve of one framed for the specific exclusion of the respectable and intelligent class who in the ordinary course of things ought to be in the panel for a special Commission. He held in his hand the rules for the guidance of Crown solicitors in Ireland—rules which were revised by the present Vice Chancellor of Ireland, and, subsequently, by Mr. Warren, both of whom were Attorney Generals at the time to the Government of the Conservative party, and by Rule 9, he found that the Clerks for the Crown were to procure four days before the commencement of each Assizes, a true list of the jurors summoned, and the Crown solicitor was to make inquiries in reference to the jurors summoned, and where he found there was any reason for challenging—such as infirmity, sympathy with the prisoner, or fear of doing his duty—he should order the juror to stand aside. All Mr. Seed did was to act in accordance with that rule, which had been sanctioned by successive Law Officers, and what happened? Two men were tried, one of whom confessed his guilt, while about the guilt of the other there could be no doubt—none, indeed, has ever been suggested—and in that case 34 jurors were set aside by the Crown, and 36 by the prisoner, and yet they were told that the Crown was guilty of jury packing. He gave the charge the most direct and circumstantial contradiction. With reference to the Peace Preservation Act, he would say, in reply to the hon. Member for Roscommon (The O'Conor Don), that there was only three entire counties in Ireland proclaimed, and a portion of six. But if that act was not continued, the Habeas Corpus Suspension Act would be of no use, because its utility depended on its being brought to bear in counties where the special proclamations of the Lord Lieutenant were in existence already and had not been successful. On the whole, he thought no valid reasons had been adduced to cause the House to accede to the Motion of his hon. Friend the Member for Roscommon, and therefore he would not weary the House by pressing further the arguments against it. He would make a few observations on the Press clauses. It had not been necessary to put the powers contained in these clauses into operation in a single case with reference to any newspaper published and printed in Ireland. The newspapers had trimmed their sails to the gales that were blowing, and, though they exceeded in licence any newspaper printed in England, as long as they kept from openly advocating murder and treason, they were left without any interference by the Government. The powers, however, were still considered necessary, and therefore it was proposed to renew the Press clauses for two years. Much had been said in the course of the debate with reference to newspapers containing seditious articles intended for circulation in Ireland but printed in the United States, and he would refer to an instance which had just come under his notice. *The Irish People*, a paper of the kind, which had been intercepted and handed to him, contained an article headed "Gallant Westmeath," in which it was stated that the people of Westmeath had been all but exterminated; that those who remained were engaged in the quiet collection of arms in order to punish the exterminators, and that they were justified in so doing, the only real consideration being the safety of the people. With this last observation he entirely agreed; but he wished to ask whether the "safety of the people" was more likely to be secured by granting letters of marque to every ruffian in the district to take life and destroy property, or by making the law respected and the power of justice and truth so strong that the country would soon again be inhabited by quiet and peaceable citizens? He could quote other articles from papers published in New York, and seized in Ireland, containing sentiments repugnant not only to Christianity but to civilization, but he thought the sample he gave was sufficient. If the Lord Lieutenant of Ireland were invested with the powers proposed by this Bill, he would exercise them with a due regard to the liberty of the people and the safety of the innocent inhabitants in the district included in the scope of the measure. Above all, this would, if passed, be but a temporary Act; for he should, indeed, despair of the future of his country, if he believed it could only be governed by Peace Preservation Acts and by suspending the Habeas Corpus. He knew that so far from this measure being introduced with all the wantonness of despotism, as had been stated by the hon. Member for Meath, it had not been proposed to Parliament until every other means of meeting and dealing with the painful and exceptional circumstances of the case had been exhausted, and then with feelings of the bitterest pain on the part of the Prime Minister and of the Government. If Ireland were ever to be happy and enjoy the glorious future her sons had predicted and prayed for, it could only be brought about by the adoption of measures like the present, which, while accompanied by remedial legislation, would remove a pressing danger, and teach her people to love, obey, and reverence the law.

Mr. WHALLEY, who spoke amid continued interruption, said, he wished to put a question to the Government. Bishop Nulty, in his evidence, stated that there was a time when those Ribbonmen who were now trying their strength with the Government had the confidence of the Roman Catholic hierarchy. That time, he added, had passed away, and at the present moment the relations between them were not satisfactory. He wished to ask the hon. and learned Gentleman the Solicitor General for Ireland whether, in discharge of his duty as one of the Law Advisers of the Crown, he had investigated that statement of Bishop Nulty, and whether he could state at what period the Roman Catholic priesthood and the Ribbonmen ceased to have those confidential relations?

Sir JOHN GRAY said, he could not vote for the Amendment, because it recognized one-half of the Bill as just and the other as unjust. He thought the first part of the Bill contained, if such were possible, the greater injustice, for it suspended the Constitution in what, notwithstanding the criticism of the hon. and learned Gentleman the Solicitor General for Ireland, he must call his country, because it was that which gave him birth. He could not vote for the Amendment, because, if he did, he should be supporting in principle the first half of the Bill.

Question put.

The House *divided*:—Ayes 340; Noes 12: Majority 328.

NOES.

Bagwell, J.
Browne, G. E.
Chadwick, D.
Charley, W. T.
Delahunty, J.
De La Poer, E.
Garlies, Lord
Henry, M.
O'Brien, Sir P.
O'Conor, D. M.
Synan, E. J.
White, hon. Colonel C.

TELLERS.

O'Conor Don, The
Dease, E.

On Question, "That the Bill be now read a second time,"

Lord GARLIES explained that he had unfortunately got into the wrong lobby (with the minority), though he had been very anxious to support the Government on this occasion.

Main Question put, "That the Bill be now read a second time."

The House *divided*:—Ayes 293; Noes 11: Majority 282.

Bill read a second time, and *committed* for *Tuesday* next, at Two of the Clock.

And, it being now ten minutes to Seven of the Clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the Clock, when—

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

SUPPLY—ADJOURNED DEBATE.

INDIA—NAWAB OF TONK.

MOTION FOR A SELECT COMMITTEE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May], "That Mr. Speaker do now leave the Chair;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire whether the procedure adopted in the case of the Nawab of Tonk was conformable to recognised principles of justice, and calculated to ensure a right decision being arrived at,"—(*Mr. Robert Fowler,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Mr. R. N. FOWLER intimated that, in the absence of the right hon. Baronet the Member for North Devon (Sir Stafford Northcote), and as the hon. Member for Gravesend (Sir Charles Wingfield) had given notice of a Motion that an humble Address be presented to Her Majesty praying that the case of the ex-Nawab of Tonk be referred to the Judicial Committee of the Privy Council, he would withdraw for the present his Motion that a Select Committee be appointed to inquire, whether the procedure adopted in the case of the ex-Nawab of Tonk was conformable to recognized principles of justice.

Amendment, by leave, *withdrawn*.

Question proposed, "That Mr. Speaker do now leave the Chair."

INCOME TAX.

MOTION FOR A SELECT COMMITTEE.

Mr. CHADWICK, in rising to move for—

"A Select Committee, to inquire into the mode of assessing the Income and Property Tax, and the principle on which such tax is now levied on industrial, professional, and precarious incomes, and also on incomes derived from life annuities, mines, and other sources, where a portion of the principal as well as interest is annually consumed or included in the yearly returns liable to taxation; and also into the present mode of including gross incomes without allowing for depreciation in railway, manufacturing, and other concerns; and also into the mode of collecting the said tax, and the remuneration paid to surveyors, clerks, collectors, and others; and also into the constitution and duties of the central and local Boards of Income Tax Commissioners,"

said, that as the income tax was now likely to be a permanent impost, from the experience of the last 30 years, it was extremely expedient that its inequalities should be investigated, with a view, if possible, to provide a remedy for the injustice of its incidence. In following out that consideration, he had purposely placed his Motion in the most comprehensive form. He must be clearly understood as not objecting to the principle of the tax; he held that it was right that a considerable portion of the public Revenue should be raised by means of direct taxation; but the mode of levying and collecting the income tax was irritating and unfair; and in the course of 25 years' experience he had seen so many examples of the injustice of its incidence, as at present imposed, that it was imperatively necessary to attempt a remedy of the evil. He believed that the income tax might be made a good tax, now that public attention had recently been directed to it, on account of the extra 2*d.* the Government had imposed to meet not a sudden emergency, or the expenses of a war, but of a policy undertaken on their own deliberate judgment.

Mr. Pitt's income tax was a war tax, and lasted 18 years, from 1798 to 1816. Sir Robert Peel's income tax was intended as a temporary tax; but had lasted since 1842—nearly 30 years. From 1842 to 1853 it was 7*d.* in the pound, and was levied on incomes of £150 and upwards. In 1854 it was 5*d.* on incomes under £150, and 7*d.* on incomes above that amount; in 1855 it was 1*s.* 2*d.* on incomes above, and 10*d.* on incomes below £150; in 1856 and 1857 it was 1*s.* 4*d.* and 11½*d.*; in 1858 it was 7*d.* and 5*d.*; in 1859, 5*d.*; in 1860, 9*d.* and 6½*d.*; in 1861, 10*d.* and 7*d.*; in 1862 and 1863, 9*d.* and 6*d.*; in 1864 it was 7*d.* on all above £100, with an abatement of £60 on incomes under £200; in 1865, 6*d.*; in 1866 and 1867, 4*d.*; in 1868, 5*d.*; in 1869, 6*d.*; in 1870, 5*d.*; in 1871, 4*d.*; and in 1872 it would, he supposed, be 6*d.* The present tax violated all the four cardinal axioms of taxation laid down by Adam Smith, and particularly the one which implied that a tax should be regular and certain in amount. His definition of the term income was, that it was the amount which a person could spend during the year without diminishing his capital or his means of continuing to earn an equal income. But in levying the income tax no allowance was made for wear and tear in various kinds of work; and, therefore, there was no justice in the assessment of the tax on its present basis

The year's ordinary rental, taken entirely from an estate in land, does not impoverish it. The year's rental taken from house property and buildings, without deducting repairs, does impoverish it. The year's rental taken out of an annuity or short lease does materially impoverish it. The year's labour of a lawyer, a surgeon, an artist, a skilled workman, or a professional man does impoverish his power to continue to earn a similar income. The year's work done by machinery, or taken out of a coal or other mine, or done by a ship, does impoverish the power of earning future income. He then referred to the inquiries of Mr. Hume's Committee in 1851, before which Mr. Mill, Dr. Farr, Mr. Babbage, and other witnesses were examined, all of whom were nearly unanimous in condemning the incidence of the tax and the mode in which it was assessed and levied. That Committee ended in a compromise; the lateness of the Session not allowing a sufficient time for discussion, and it was agreed merely to report the evidence and proceedings. He then passed on to the Committee moved for by Mr. Hubbard in 1861, when the present Prime Minister admitted the inequality of the tax and that it was impossible to defend it.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. CHADWICK proceeded to quote from the Report of Mr. Hubbard's Committee; and, in allusion to one of its recommendations, suggested the desirability of levying the income tax of small tradesmen upon their rentals, rather than upon their estimated profits.

Mr. Hubbard recommended a plan, which may be briefly stated, as follows:—To assess all fixed incomes from dividends, interest, &c. at net amount; to deduct $\frac{1}{12}$th from rent of land and of buildings, for repairs, fences, &c.; to deduct $\frac{1}{6}$th from rent of houses for insurance, repairs, &c.; to deduct $\frac{1}{5}$th from metallic mines, and $\frac{1}{10}$th from coal and other mines; to deduct $\frac{1}{3}$rd from salaries and pensions, and from profits of farms, trades, shipping, and professions; to allow £100 from rent-charge and cure of souls. The Committee, he stated, came to the conclusion that the plan suggested by Mr. Hubbard did not afford a basis for a practicable and equitable re-adjustment of the income tax, and they, feeling the dangers and ill-consequences to be apprehended from an attempt to unsettle the existing tax, refrained from offering any suggestion as to its amendment. They, however, did not examine any mercantile witnesses, although, had they done so, most of the difficulties they felt would have been removed. The recommendations of the Committee were not, he contended, justified by the facts of the case, either then or at the present time. Since that Report was made there had come into existence Chambers of Commerce in all the large mercantile communities; and lately, at a meeting of the delegates representing 44 Chambers, a resolution was passed desiring that an inquiry into the incidence of the tax should now be made, and he had to ask the Government to accede to that request. A Committee sitting on alternate days would conclude their inquiry in a month, and the witnesses who would be furnished by those Chambers of Commerce would furnish information that would make the Chancellor of the Exchequer a much wiser man than he was now with regard to this subject. Against the Report of Mr. Hubbard's Committee he would quote the evidence of Mr. Newmarch, Mr. S. Brown, Dr. Farr, Mr. J. S. Mill, Mr. Taylor—a leading authority on mining questions—Sir Daniel Gooch, and Mr. Jellicoe (President of the Institute of Actuaries). Sir Daniel Gooch instanced a remarkable case of a colliery which honestly returned its income at £4,300 a-year, but which was locally assessed at £9,600. The local assessors refused to allow deductions on account of the coal duties paid to the City of London and of agents' charges; and the central authorities refused to interfere. This and other similar cases clearly proved the necessity for a Court of Appeal. The evidence of all the eminent witnesses examined before the Committee went to prove the evils and hardships involved in the levying of the tax on precarious and industrial incomes, and, notwithstanding the opinion of the present Chancellor of the Exchequer, it was shown that these inequalities were capable of being remedied, and that the income tax was not necessarily like a house of cards, which, if touched, would come down altogether. His firm was professionally concerned in auditing and making the income tax returns of upwards of 40 manufacturing and mercantile concerns, including some of the very largest establishments in the country, and they were honestly made; but the experience thus acquired enabled him to say with confidence that the classified return of the amounts paid upon the higher incomes disclosed the practice of very extensive frauds, for the continuance of which the commercial community, represented by the associated Chambers of Commerce, declared that the Government were responsible, because it was their duty to provide a remedy and to protect the tradesman and the professional man, who made honest returns from being defrauded by having to pay more than they ought to pay, in consequence of the dishonesty of others. The Chancellor of the Exchequer, a heaven-born Minister, innocent of commercial experience, despaired of devising a remedy; but witnesses would be examined before a Committee to show that it could be done. According to the Returns for 1868-9, there were only 6,871 firms in the United Kingdom which returned incomes under Schedule D of over £2,000 a-year, and their incomes were distributed as follows:—Incomes of over £2,000 and under £3,000, 2,670; over £3,000 and under £4,000, 1,349; over £4,000 and under £5,000, 686; over £5,000 and under £10,000, 1,309; over £10,000 and under £50,000, 801; over £50,000, 56. There were many anomalies and injustices in the present system, and there were many persons who made dishonest and fraudulent returns, from which those who made honest and truthful ones had to suffer. The right hon. Gentleman at the head of the Government had, on previous occasions, declared that the commercial community were responsible for the injustice and fraud which occurred; but he (Mr. Chadwick) maintained that the present Premier and the Chancellor of the Exchequer were responsible for it, for they should provide remedies for it, and see that proper punishment followed upon fraud. The existence of such cases should, however, be quite sufficient to induce the Government to grant the inquiry which was now asked for. In Middlesex, for the year 1842-3, the Returns for land and houses amounted to £11,300,000, whereas in 1864-5 they amounted to £22,900,000. In Lancashire, for the year 1842-3, the Returns under the same Schedule amounted to £7,700,000, and for the year 1864-5, £13,200,000. In Middlesex, under Schedule D, the Returns in 1842-3 amounted to £20,000,000, and in 1864-5 to £39,000,000. In Lancashire, the relative Returns were £9,000,000 and £18,000,000. Now, in the name of those two great counties he asked for the Committee to be composed of practical men who could apply a practical remedy to the evils complained of. Under Schedule B—farms and agricultural rental—there could be no justification of the difference in the mode of assessing the rental of a farm in England, Scotland, and Ireland. Half of the gross rental was assessed in England and one-third in Scotland, while in Ireland the poor rate assessment was adopted, which was about 20 per cent off the gross value. Why not lay down a uniform, a just, and equitable mode of assessing the income tax on farmers' rental? He saw no difficulty in settling the farmers' question by adjusting the assessment and making it uniform in England, Scotland, and Ireland. There was another grievance under Schedule A, in being compelled, if they fed and sold cattle, to return themselves as cattle dealers. Another grievance felt by landowners and farmers, and one capable of immediate adjustment, was where farmers who borrowed money to drain or improve their lands, to be repaid by instalments, income tax was charged both on the payment of interest and principal. Now, the Government itself lent money for drainage and land improvement, and the income tax was deducted from the re-payments up till 1853, when a Bill was passed preventing income tax being deducted on repayments of principal, and only allowing the deduction on interest paid. Why should this difference exist between loans by the Government and loans by the great land improvement companies? The testimony of the actuaries had clearly shown the practicability of remedying this injustice; an injustice further aggravated by the fact that the Government had allowed the question to rest for 10 years without having attempted to find any remedy for the grievance. He would now call attention to the case of large trading companies and railway companies, and show how the policy of Government, in refusing to allow deductions for depreciation, had a demoralizing effect on the trade and commerce of the country. No business, such as that of a cotton-spinner, engineer, flax-spinner, or shipbuilder could be carried on without replacing the depreciation in machinery and plant year by year. He was not now touching on the question whether precarious incomes should be assessed in the same way as other incomes, but to Schedule D and commercial incomes, and if the Committee were appointed, he would show how the Chancellor of the Exchequer was hoodwinked, because of his ignorance of commercial matters, and he declared that in nine cases out of ten the railway companies in the United Kingdom cajoled and deceived the Chancellor of the Exchequer They very properly returned the income tax on the dividends they paid to the shareholders after the payment of all expenses, and after providing for depreciation and the replacement of rolling-stock in every possible way; but an ordinary trading concern, claiming depreciation and replacements, would be very quickly told by the Chancellor of the Exchequer that they must pay upon the sums for which they demanded those deductions, as well as upon the whole of their profits. He thought that he had said enough to show the injustice of the incidence of the income tax and the capability of remedying that injustice, and now he would say something of the administration by which the income tax was levied and collected. The Commissioners at Somerset House were respectable and intelligent persons; but, though they had to deal with matters of account, they never thought of calling in experienced accountants to advise them in the question. With regard to the clerks of the Commissioners, he had to make a complaint against the Chancellor of the Exchequer. Up to a comparatively recent period the clerks were paid a poundage on the amount of tax collected, and the consequence was that the clerks in London, and in all the great centres of commerce, got many thousands a-year, because the increase of the tax increased their remuneration, without causing them any additional labour; but the collectors of the tax, an important body of officers, received only a miserable poundage of 1½*d.* in the pound, and when the income tax was reduced to 4*d.* in the pound the Government had to give £47,000 to make up something like a tolerable payment to the collectors. As those officers were so badly paid, it could not be matter of surprise that some of them should occasionally be defaulters. Representing as he did on this question the associated Chambers of Commerce, he entreated the Government not to oppose the Motion he brought forward, but to allow a Committee of the House to inquire into this great national subject. It would be a relief to the Premier to find that the commercial community would come forward to sustain their integrity and to assist the Government in punishing evil-doers, whose frauds were to a large extent capable of detection. The Committee might inquire (1) into the mode of hearing appeals, in regard to which there were great complaints in country districts; (2) whether the tax should not be levied yearly on the actual net profits instead of on the three years' average as at present; (3) whether allowance should not be made for wear and tear of machinery and depreciation in works, plant, ships, and railways; (4) whether deductions should not be allowed for re-payment of principal in the case of life annuities, short term annuities, leaseholds, and land improvement, and other loans; (5) the general incidence of the tax; (6) whether any and what alterations should be made in the case of incomes under Schedule D; (7) whether the assessment on farmers in England, Ireland, and Scotland should not be equalized; (8) whether the system of assessing the tax on farmers according to rental could not be applied to small tradesmen, shopkeepers, and others; (9) whether the principle of charging succession duty was not applicable in other cases; (10) whether the allowance made in respect of life assurances should not be extended to other prudential savings; (11) the Committee should also investigate the system of paying collectors by poundage, and the payment of the Bank of England and other departments for collecting the tax. They should consider whether the system now adopted of levying additional rates in order to replace the defalcations of collectors should be continued, and whether collectors should not be required to give ample security, and be appointed directly by the Government; (12) the Committee should consider whether the income tax should not now be regarded as a permanent tax, discarding the subterfuge of supposing it to be temporary, by which we had for 20 years been prevented from redressing its inequality; (13) the Committee should inquire whether penalties and punishments should not be imposed for false and fraudulent returns, in order to secure the equitable incidence of the income tax throughout all classes. The hon. Member concluded by moving for the Select Committee of which he had given Notice.

MR. LEATHAM: I rise, Sir, to second the Motion of my hon. Friend, and I venture to express the hope that, if the right hon. Gentleman the Chancellor of the Exchequer be about to oppose this inquiry, he will adduce more forcible arguments than those which he thought it was worth while to use when he was defending the justice of the incidence of this tax against the assaults of an hon. Friend of mine a year or two ago. On that occasion the right hon. Gentleman based his defence of an unadjusted income tax upon the well-known canon of Adam Smith, that—

> "The subjects of every State ought to contribute towards the support of the Government in proportion to their respective abilities—that is, in proportion to the revenue which they respectively enjoy under the protection of the State."

The right hon. Gentleman argued as though by "revenue enjoyed" Adam Smith meant income "abstracted altogether from the idea of the sources whence it comes, and the purposes for which it goes." But surely the use of this word "enjoyed" ought to have induced the right hon. Gentleman to pause before accepting such an interpretation. You cannot speak of "revenue enjoyed" when a portion of that revenue is not revenue at all for purposes of enjoyment, when it is the mere replacement of capital already expended, or when it must go to keep the soul and body of the human machine which earns the income together. And therefore it is that all economists, except the right hon. Gentleman agree in this, that before you tax a man's revenue, derived from labour, he has a right to ask that you should make several deductions from the sum taxed—1st, for the maintenance of the actual labour which is its source —that is, what the labourer requires to maintain him alive, and without which the labour would absolutely come to an end. If you are about to tax the earnings of a steam engine, you would certainly deduct from the gross earnings the price of the coal required to keep the machine at work. And in the actual income tax you have already sanctioned this principle of deduction by declaring that small incomes—that is, those which are barely enough for the subsistence of the labourer—shall not be taxed at all. And it is the recollection of a second principle of exemption, sanctioned by the tax as it is, which leads me naturally to speak of the second deduction which you are bound to make before taxing any income earned by personal exertion. If a man insures his life he is allowed to deduct from his returns for such insurance up to a certain proportion of the whole sum returned. But the labourer is just as much bound to lay by against the occurrence of sickness and old age as he is against the occurrence of death. He had no right to enjoy that portion of his income representing this insurance, and you have no right to tax it under the head of income enjoyed, for the State has no right to assume that men will be absolutely reckless and improvident when experience shows that the majority are not so; and it has no right to teach improvidence by basing its taxation on the assumption that everything which a man receives as income he is morally at liberty to enjoy—that is, to spend. Then, Sir, comes the third deduction which we must make before we tax the proceeds of labour—that is, for the replacement of the capital already expended in the education of the labourer.

> " Economically considered," says Professor Rogers, " the maintenance and education of labour are as much an investment of capital as the charges incurred for draining a field or for constructing a machine."

But, Sir, there is a fourth deduction which I contend we are entitled to make from incomes derived from trade, and that is, as an insurance against certain of the losses of trade. So long as the income tax was levied, not on the assumed profits of each year, but upon the average profits of three years, there was some provision against excessive assessment. But this proviso has ceased. It often happens that the trader makes less than nothing by his trade during the financial year, and it is no answer to say that during those years he is not required to pay income tax, for the positive loss of such year is an absolute diminution of his capital, and that loss has to be made up out of future profits, and until it is made up such profits are not a proper object for taxation, because they do not constitute revenue enjoyed. Our position, then, Sir, is this—that until you have made these few deductions from gross income, you have no right to tax it, because it cannot be regarded as "revenue to be enjoyed," and therefore as no true measure of a man's ability to contribute to the support of the State. We hurl back, then, at the right hon. Gentleman the maxim of Adam Smith, and we contend that, while he tells us that he is taxing us in the name of Adam Smith, he is trampling that respectable economist under his feet. And it is no answer to us to say that there are difficulties in the way of re-adjustment, and that by no system of re-adjustment can we hope to arrive at absolute justice as between man and man. In dealing with the subject for purposes of taxation, you cannot pretend to deal with individuals, but with broad classes, and the question is not can we make this tax fall justly upon everybody, but can we reduce the sum of its necessary injustice to a minimum? Because you despair of doing justice to everybody that is no reason why you should attempt to do justice to nobody. Nor is it any answer to say that there is a natural tendency in all taxes to re-adjust themselves. In his admirable memorandum, the late Mr. James Wilson exposed this fallacy, and illustrated it by a comparison with the result to the consumer of similar changes in the customs—

> " Suppose," he says, " that professions are untaxed in relation to real property by $1\frac{1}{2}$ per cent, and trades by $\frac{3}{4}$ per cent, is it possible to conceive that in any length of time self-adjustment would take place by raising a physicians fee from 20*s.* to 20*s.* $3\frac{1}{4}$*d.*, and the cost of a lawyer's letter from 6*s.* 8*d.* to 6*s.* $9\frac{1}{4}$*d.*, or the profits of a trade which at present are 8 per cent by the inappreciable amount which a difference of $\frac{3}{4}$*d.* per cent on the income would make on the amount of the trade from which the profit is derived? It would be as reasonable to argue that a reduction of $\frac{1}{4}$*d.* a pound in the tea duty would lead to a reduction in the price of tea sold at 5*s.* per lb."

We contend, then, that this tax, as at present levied, is glaringly unjust—that it has not re-adjusted itself through time; and we do not hesitate to say that so completely does it affect that natural justice upon which all fiscal canons are based, that but for one circumstance in its recent history, public feeling would have been too strong for the right hon. Gentleman, and would have compelled long ago either its re-adjustment or its repeal. That circumstance is the fact that until recently this tax has been rapidly on the decline. So long as this process was going on, so long as the end of the tax appeared to be clearly in view, so long as there was a large class exempted from its operation altogether, and who believed that their exemption would be perpetual, so long did you succeed in clipping the wings of agitation. But what are the circumstances now? The tax has ceased to decline. It is no longer even stationary. In one year, in order to meet the exigencies of an economical Government, it leaps up 50 per cent, and this under a Chancellor of the Exchequer who declared himself to be the foe of exemptions. With what confidence can those who are at present exempted from the pressure of this tax regard their future immunity while they see a Chancellor of the Exchequer sitting there who talks loosely about exemptions, and who regards with complacency what he is pleased to call the justice of this tax. No, Sir, the whole attitude of this movement has changed very much for the worse since the time when the right hon. Gentleman, the First Minister, made his celebrated declaration that—

> "It was on all hands agreed that the tax was not adapted for a permanent part of your fiscal system unless by re-construction you could remove its inequalities."

For years and years the right hon. Gentleman used to apologize to the country for the re-imposition of a tax which he knew to be unfair, and which we were only told to tolerate because its days were numbered, and its extinction sure. I remember that the right hon. Gentleman went through the solemn form of abolishing this tax annually, and then again, with a flourish of rhetoric, restoring it to life. "The tax is dead," exclaimed the right hon. Gentleman; "God save the tax." Contrast all this with what happens now-a-days. The tax has no longer the decency to die once a-year. The Chancellor of the Exchequer comes down to the House not to bury the tax but to praise it. The tax is just, the tax is sound, the tax is wise, and Adam Smith is solemnly invoked, in order that he may give his final and inexorable verdict against us. And, under these circumstances, Sir, I have great pleasure in seconding the Motion of my hon. Friend.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the mode of assessing the Income and Property Tax, and the principle on which such tax is now levied on industrial, professional, and precarious incomes, and also on incomes derived from life annuities, mines, and other sources, where a portion of the principal as well as interest is annually consumed or included in the yearly returns liable to taxation; and also into the present mode of including gross incomes without allowing for depreciation in railway, manufacturing, and other concerns; and also into the mode of collecting the said tax, and the remuneration paid to surveyors, clerks, collectors, and others; and also into the constitution and duties of the central and local Boards of Income Tax Commissioners,"—(*Mr. Chadwick,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CRAWFORD, as one of the Committee of 1861, said, he wished to see the House take a more practical view of the question than that which had been submitted to its consideration by the hon. Gentleman who brought forward the subject; but in saying that he would allow that the hon. Gentleman had said many things to which he had long been accustomed to listen, and to which he was quite willing to accede. He had, however, in his opinion, given in more than one respect a very exaggerated representation of the objections entertained to the income tax by those on whose behalf he spoke. In the Motion itself the hon. Gentleman proposed to invite the attention of the Committee to seven different subjects; but before he sat down he had increased that number to no less than 15 or 16. The hon. Gentleman also stated that the Committee would be able to complete the evidence taken before them in a month; but, considering the magnitude of the subject, he would put it to the House whether, if it was necessary to enter into an examination of it at all, the present period of the Session was one in which any Committee could be expected to devote itself to the prosecution of such an inquiry in a manner which could be regarded as satisfactory? The House was now on the eve of the Whitsuntide holidays, such as they were; and it was scarcely to be expected that the Committee, if granted, could be nominated before the end of the next week, and, if some of the usual discussions with respect to its composition occurred, probably not until a still later date. Well, it would then commence its labours, perhaps, when June was somewhat advanced; and how, he would ask, was it possible to do justice to the important subject with which it would have to deal during the remaining portion of the Session? He doubted, besides, whether a Committee of 15 Gentlemen could be got to give their time to the question, or whether an hon. Member, well fitted to act as Chairman, could be found sufficiently disengaged to accept that position. But, independent of the objections which he entertained to the appointment of the proposed Committee, he wished to recall to the notice of the House certain circumstances which had been referred to by the hon. Gentleman himself—he alluded to the fact that the subject was one which had already undergone examination at the hands of no less than three Committees. A Committee was appointed in 1851, of which several hon. Gentlemen whom he was happy to see still in the House were Members. That Committee was re-appointed in 1852—that was to say, another Committee sat on the subject. Again, on the Motion of his hon. Friend (Mr. Hubbard), a third Committee was appointed in 1861, and, looking at the names, professions, and occupations, of the witnesses who were examined before those Committees, he ventured to say that, as the principles on which the present income tax was levied had not changed since its first imposition in 1842, as the whole of those principles were thoroughly investigated, and as every witness capable of giving evidence on the question was called before those Committees, and nothing was left over for future examination, it was impossible that any Committee could now obtain information more ample or of a different character. Official gentlemen, representatives of the Board of Inland Revenue, commissioners of various kinds, surveyors, and two gentlemen from the United States gave evidence before the Committee of 1851; and in 1852, the number was largely extended, embracing seven actuaries; while in 1861, Mr. Hubbard, Mr. Newmarch, Mr. Coleman, and several others (whose names the hon. Gentleman mentioned) were added to the list. He did not, under these circumstances, believe that it would be possible now to adduce any further evidence, calculated to lead to more careful conclusions; or to afford more general knowledge on the subject than was already at the command of the House. If, nevertheless, it was now the commencement of the Session, and there were sufficient time for the purpose, he should be glad to see a Committee appointed, to which the evidence taken before the three Committees he had mentioned should be referred, which should be charged to examine it, and report its opinion to the House as to whether any modifications could be introduced into the manner of assessing and collecting the income tax. He must, however, observe that, arguing as the hon. Gentleman had done so vehemently against the mode in which the tax was at present levied, he had, notwithstanding, altogether declined to inform the House what was the scheme which he himself would propose, while he was prepared to go into Committee to find fault. But, be that as it might, if he would ask next year for the appointment of such a Committee as he had just suggested, he should be happy to give him his support. When he heard of 44 Chambers of Commerce urging the hon. Gentleman to move for inquiry, he wished to know whether they possessed the Reports on the subject which had been presented to the House, and, if so, whether they had read them? Let hon. Gentlemen during the Recess thoroughly examine the evidence, and then let them come before Parliament, with distinct proposals of what they intended to submit to the Committee; or, if they preferred it, let them crystallize their ideas in the form of a Bill, and then the House would have something to deal with; but he, as one who had considerable experience in this matter, deprecated going into a Committee fishing for information, which would be simply a waste of time. The hon. Gentleman had referred to the sum awarded to the Bank of England for collecting the income tax. The hon. Gentleman was probably not aware, or else he had forgotten, that there were 250,000 accounts in the ledgers of the public Debt, and 20,000 accounts of the Indian Government, upon which dividends had to be paid twice in the year, and that consequently upwards of 500,000 distinct sums had to be deducted every year; and he apprehended that there was no one in that House, however rigid an economist he might be, who would say that the collection of the Revenue shown by these deductions ought to be undertaken by any establishment without remuneration.

SIR FREDERICK W. HEYGATE said, he wished to say, as an humble Member of the Committee of 1861, that after spending many months in anxious inquiry, he had come to the same conclusion as the hon. Member for the City of London. The investigation of this question opened up the whole subject of taxation; it was impossible to inquire into it by itself, and if conducted as it ought to be the inquiry would be long and laborious. The Members of the Committee of 1861 were fully determined to make a full and impartial inquiry; and he could say for himself, that he went into it with opinions very much the reverse of those with which he came out. In that Committee, Mr. Hubbard had offered himself as a witness; but if he broke down it was in his endeavour to prove that a distinction existed between incomes derived from trade and other realized property—there being some trades and callings which had such a character of permanency, that the incomes from them could not be distinguished from the incomes derived from landed property. The hon. Member who introduced the question (Mr. Chadwick) spoke of the unfairness of the assessment on incomes under Schedule D, as distinguished from other Schedules. But the hon. Gentleman appeared to have forgotten the great uncertainty which attached to incomes under A and B, as well as D. It was stated in the Report of the Committee of 1861, that those assessed under A, B, and C, could not help themselves; but it was quite certain that persons assessed under Schedule D gave every doubtful point in their own favour. For instance, in London, under Schedule D, 1*d.* in the pound after 12 years produced simply as much as before, which showed either that the trade of London had not increased, or else that it was carried on under unprofitable conditions; but neither alternative could be admitted to be true. The conclusion was that, if they wished the income tax to be honestly met, they should put on a fair and moderate tax—the lower the better. As the circumstances which had led to the present increase were exceptional, he hoped the increase would be exceptional also, and 6*d.* in the pound, he thought, should not be exceeded in this country.

MR. NORWOOD said, that Mr. Hubbard's views were very strongly against the present mode of assessing the income tax. He could confirm the statement of the hon. Member for Macclesfield, that a widespread feeling of dissatisfaction prevailed among the traders and professional men in the provinces as to the unequal and unjust incidents of this tax. A Committee of that House would be quite competent to investigate this subject, and, in his opinion, the time had arrived when a deliberate and careful inquiry into the matter had become necessary—more especially, as 10 years had elapsed since the last Committee sat. He must say there was some weight in the objection as to the advanced period of the Session; but if the right hon. Gentleman the Chancellor of the Exchequer would assure the House that he would be willing to consent to the appointment of the Committee about the commencement of next Session to consider this most unequal, immoral, and dishonest tax, he should be perfectly satisfied.

MR. HERMON thanked the hon. Member for Macclesfield for bringing this subject under the notice of the House; but pointed out the inconveniences that would result, considering the state of Business, from the appointment of the Committee he asked for at the present time, when the time of hon. Members was so much occupied. With the hon. Member who spoke last (Mr. Norwood), he thought sufficient time had elapsed since the inquiry in 1861 to make further inquiry necessary, and he hoped that the hon. Member would receive an assurance from the Chancellor of the Exchequer that Government would be willing that a Select Committee to consider the subject should be appointed early next Session, when he (Mr. Hermon) would give the hon. Member his hearty support.

MR. WHALLEY said, he approved of the Motion, as he thought it well that all such theories should be fully inquired into. He should like to see a better mode of collecting the income tax organized, as if that were not done, in his opinion, the only alternative would be to abandon Schedule D altogether.

He thought that the owners of large property would find it to their advantage to consent to be taxed to the extent of 1*s*. or even 2*s*. in the pound, in order to relieve the trade, and the brain, and muscle of the country from taxation. The subject was one which demanded most patient and careful inquiry.

Mr. LOPES said, that the present mode of assessing the income tax was most unjust and unfair, and for that reason it was a matter that must sooner or later be inquired into; he should, therefore, support the Motion. The hon. Baronet (Sir Frederick W. Heygate) had urged that there was no ground for the Committee, because those who were called on to pay under Schedule D frequently evaded it; but that was no argument in favour of the present mode of assessment; an evasion of the tax was permitted because it was felt that its incidence was unjust, and that which would, in other circumstances, be regarded as a criminal act, was regarded with leniency. The hon. Baronet also said it was impossible to modify the incidents connected with Schedule D, because the claims of incomes under that Schedule were diverse. He admitted that was so, and that those incomes would require a different mode of assessment; but what was said with regard to the incomes of clerks of £300 per annum and under, and that of clergymen whose means terminated with their lives, were they to be assessed on the same principle as those of men deriving their incomes from money in the funds? The argument of the hon. Member for the City of London, that it was too late to grant the Committee, was no answer at all, because the evidence taken before this Committee might be referred to the Committee on its re-appointment next Session. The grievance complained of was increased by the fact that the income tax was now levied prospectively. It often happened that clerks and servants liable to pay income tax under Schedule D, paid on incomes they never received. Clerks and servants might, from no fault of their own, be discharged after they had been assessed, and thus be called on to pay in respect of an income that never accrued. For these, and for many other reasons, he thought the Committee ought to be granted.

The CHANCELLOR of the EXCHEQUER said, he thought that a great many of the subjects which had been raised in this debate deserved the consideration of the Government, and that it was extremely desirable that, in some way or other, they should be inquired into. Of course, the Government was always placed in this position—that it derived its information chiefly either from the department of the Revenue which collected this tax, or from persons who wrote to the Chancellor of the Exchequer, and who were not very well informed on the subject; and so, in neither case, had they the chance of obtaining that more general opinion which is acquired from a consideration of both sides of the question. He was therefore quite ready to admit to the hon. Member for Macclesfield that it might be very desirable and very proper that the Government should further examine many of the subjects which he had mentioned, and with respect to which it was possible that improvements might be made; but the question before the House was—should they appoint a Committee this Session, in the very sweeping terms of the Motion of the hon. Member for Macclesfield, in order simply to enable 44 Chambers of Commerce to supply the House with information on certain points. Without wishing to put forward dilatory pleas, he thought the House could not help feeling the great force of the observations of the hon. Member for London (Mr. Crawford), and that it would be impossible, with the enormous quantity of labour before the House, to do justice to the subject if it undertook it. Nothing led him to suppose that the hon. Mover or Seconder of the Motion had the slightest regard to his convenience in the matter; but if a Committee were appointed, it would be his bounden duty to pay the most unremitting attention to it; and he assured the House that it would be almost impossible for him to do that without disregarding those other arduous duties which were equally obligatory on him. He had a large Department under his care, and also duties to perform in that House; but he would state to the House his opinion on the subject, and then suggest a course which, on the whole, he thought it would be most judicious for the House to adopt. He divided the subject into two parts—one part related to the larger questions which were involved in the income tax, and the other related to the question which principally occupied the speech of the hon. Gentleman who made the Motion, and that was collection and matters of that kind. Now, as to the first of those questions, the House might exercise its own discretion as to the appointment of a Committee; but he undertook to say this, and he spoke not without knowledge, that there was no subject probably in the whole range of political economy, or the practical administration of the Government, that had undergone a more thorough or sifting inquiry than the general abstract principle on which an income tax should be founded. He felt perfectly confident that, if a Committee were appointed, the result they would come to, after a great deal of labour and a great deal of trouble, would not be different from the result that had hitherto attended such investigation—that was to say, they could come to no other conclusion than that, if an income tax must be maintained, it must be a uniform tax. Whatever might be said as to the incidence of the tax under the different Schedules, they would find, when they came to weigh what was said on both sides, that the arguments entirely preponderated in favour of a uniform tax—in fact, that on no other plan could an income tax be supported; of course another plan might be tried, but he thought it would be exceedingly ill-judged. At any rate, it would not be expedient, in the present Session, to appoint a Committee to inquire into a subject on which there was hardly any Gentleman that had not the means of forming an opinion. The Report of the Committee appointed on the Motion of the present Prime Minister, the Reports of Mr. Hume's two Committees, and the Report of the Committee of 1862 furnished a mass of arguments and investigation on this subject, and left nothing to be done. He thought, if any Gentleman would go through these Reports, he would be of opinion that if an income tax were to exist, it could exist only on the condition that it should be uniform. The hon. Member for Huddersfield (Mr. Leatham) said that Adam Smith, speaking of an income tax, stated that a man should be taxed according to his ability—that was to say, according to the income he enjoyed. A hundred years ago the word "enjoy" was nearly equivalent to the word "possess," and clearly meant no more than that a man might be taxed according to the income he possessed, just as persons now talked about "enjoying" bad health. Even if that were not so, Adam Smith was not an infallible authority; but none of the witnesses who had been examined had ever ventured to put on the passage that had been quoted such a construction as that of the hon. Member. If, however, there was to be an income tax, hon. Members must not require too much from it. The nature of an income tax was to put a tax on the revenue which a man had, without reference to the sources from which it was derived, or the purposes to which it was applied, and unless hon. Members were prepared to adopt that view, an income tax could not be supported. If they attempted to look back and to make a difference in taxation, according to the source from which the income was derived, whether from realized property or from a trade or profession, or in any other way, they were really not imposing an income tax, but a one-sided and bungling kind of property tax; if, on the other hand, they looked to what a man did with his money, they were not imposing a tax on income, but rather on expenditure. The only way to clear the ideas of hon. Members on this subject, was to view the tax as one neither on property nor on expenditure; but simply as a tax on income—that was to say, on property after it had been created and before it arrived at the state of being spent — at the point of time which, according to metaphysicians, whom it puzzled, was going from the past into the future. That being the abstract theory, he would point out one application. The House was aware that all the funded Debt was borrowed under an express promise from the Government that it should be subject to no tax or deduction whatever. That, however, did not prevent an income tax being levied on dividends, and that plan, which had been acted on for upwards of 70 years, had been acquiesced in by the fundholders. If a distinction were now made between the various schedules, a difference would be made according to various properties; and in all the schemes that had been brought forward, it was proposed to put the highest tax on the income of the fundholders. That, however, was contrary to Mr. Pitt's principle, and would be a direct breach of the

Parliamentary guarantee. The first effect of making a differential income tax must, therefore, be to exempt dividends from taxation; for the existence of a uniform income tax was the only possible condition on which such income could be taxed. Assuming, then, that the House wished to retain the income tax, he desired to point out how that would be impossible unless it were to be continued as a uniform tax, to which result he was sure that all investigation would lead; and that being so, he came to consider the best course he could recommend to the House. The hon. Member for Macclesfield said he had great experience of this subject, and all who heard his speech must be convinced that he had taken great pains to investigate its practical working. The information he had communicated to the House would be valuable to the Government, and it would better answer the hon. Member's purpose if, instead of a Committee being appointed at the fag-end of a Session, his information was considered by the Government. If the hon. Member would furnish a correct list of his 13 articles of grievance, with any comments he might choose to make, he (the Chancellor of the Exchequer) would undertake, without waiting for a Committee, to make a most searching investigation into such of them as were not of a speculative or theoretical nature. One other subject, which was well worthy of consideration, was that of re-casting the Income Tax Act, which was in a very clumsy and antiquated form. From the fact that the whole of the documents connected with it were burnt during a fit of enthusiasm in the House of Commons in 1816, the whole subject was left in great doubt and confusion; and, without accepting the suggestion of the hon. Member to make the tax a permanent one, but leaving to it its present annual character, it would be quite possible for the House to pass a law which should regulate that tax, the House still retaining a control over its annual amount. If the hon. Member would accede to this suggestion, and he was not satisfied with what would be afterwards done, he could then consider whether he would press his Motion at the beginning of a future Session. He hoped, however, that the House would consider he had fairly met the hon. Member, in promising to do what he could to remedy the evils of the present system; and that the hon. Member would not think it necessary to persevere with a Motion, which could not have the effect of bringing the matter to a decision, at all events during the present Session.

Mr. W. M. TORRENS said, he thought it idle to suppose that this subject could be put aside, by the offer of the Chancellor of the Exchequer to consider mere abuses. It would not do to attempt to silence the just complaints which were made in reference to this tax, by saying, with a sneer and a taunt, that the hon. Member for Macclesfield was a young Member, and had not that experience of Parliamentary affairs which others possessed. Mr. James Wilson, one of the ablest men who had ever been in the House, had drawn up a Memorandum, in which he broadly divided into three classes the income that was liable to taxation; and he proposed to deduct 10 per cent from enjoyable incomes, by which he meant incomes derived from rent of land or interest on money, 50 per cent from the wages of labour, and 25 per cent from that combination of labour and capital which afforded the income of the mercantile classes. Mr. Wilson, however, was not pedantic in his definitions; he would not pretend to infallible accuracy, but sooner than make a blind, undiscriminating rule of uniformity, he would lay down three lines which were approximate to accuracy. What Mr. Wilson said was that we ought to find out the expending power of those who were taxed, and it was never too late to discuss this question with that object. The hon. Member for Macclesfield would not be justified in accepting the offer of a mere inquiry into the abuses in the collection of the income tax; that was not what was wanted, for it was not the general wish to retain the tax, unless it could be made more just and equitable, instead of being directly favourable to particular classes. No prudent man would spend all the income he derived from labour, but a man living on the rent of land, or the interest of money could do so; and therefore they could not regard £100 derived from realized property as they could £100 derived from labour of any kind. It was said, of course, that to remedy these defects was impossible; but it was only "impossible" to remedy the inequalities complained of, there was reason to hope that they might be got rid of.

MR. HEYGATE said, that if the Chancellor of the Exchequer entertained the grievances of 40 Chambers of Commerce, he must be prepared to entertain those of the 100 Chambers of Agriculture, which complained of the "inequalities" under Schedule A, where the tax was charged on hundreds of thousands of pounds of property assessed above its actual value, because of the difficulty of resisting the assessments, while similar wrongs were perpetrated under Schedule B. The profits of an occupier of land were assessed on the half of his rent, and for the last three years the great body of the farmers in the country had paid property tax on imaginary profits, which they had not received; for the last three years had been three years of loss. Therefore, if the right hon. Gentleman listened to the representations of the Chambers of Commerce, he would have to encounter objections from every class of payers of income tax. He had voted for the appointment of the Committee in 1861 to inquire into this subject, and had carefully watched the proceedings of that Committee, and the conclusion he came to was that the sooner the income tax was got rid of the better, and that if it must be continued, it ought to be levied at a low and at an uniform rate. After the investigation which this subject had received, it devolved upon anyone who reopened it, to propose a fair solution of the difficulties by which the question was surrounded, and no proposition of that character was submitted on the present occasion.

Question put.

The House *divided*:—Ayes 56; Noes 47: Majority 9.

AYES.

Armitstead, G.
Ayrton, rt. hon. A. S.
Barnett, H.
Baxter, W. E.
Bristowe, S. B.
Brown, A. H.
Bruce, rt. hon. H. A.
Campbell, H.
Cardwell, rt. hon. E.
Cholmeley, Captain
Craufurd, E. H. J.
Crawford, R. W.
Dalrymple, C.
Dalway, M. R.
Davies, R.
Denman, hon. G.
Dickinson, S. S.
Dowse, R.
Duff, M. E. G.
Enfield, Viscount
Forster, rt. hon. W. E.
Fortescue, rt. hon. C. P.
Gavin, Major
Gladstone, W. H.
Grant, Colonel hon. J.
Grieve, J. J.
Guest, M. J.
Hamilton, J. G. C.
Heygate, Sir F. W.
Heygate, W. U.
Hibbert, J. T.
Hodgson, K. D.
Hughes, W. B.
Hurst, R. H.
James, H.
Johnston, A.
Knatchbull-Hugessen, E. H.
Lefevre, G. J. S.
Lowe, rt. hon. R.
Lubbock, Sir J.
M'Clure, T.
M'Lagan, P.
Miller, J.
Morley, S.
Nicol, J. D.
Parker, C. S.
Potter, E.
Seely, C. (Nottingham)
Sherlock, D.
Stacpoole, W.
Stansfeld, rt. hon. J.
Storks, rt. hn. Sir H. K.
Villiers, rt. hon. C. P.
Williams, W.
Winterbotham, H. S. P.
Young, G.

TELLERS.

Glyn, hon. G. G.
Greville, hon. Captain

NOES.

Akroyd, E.
Anderson, G.
Bective, Earl of
Birley, H.
Bowring, E. A.
Bright, J. (Manchester)
Brise, Colonel R.
Burrell, Sir P.
Candlish, J.
Carter, Mr. Alderman
Charley, W. T.
Clay, J.
Cross, R. A.
Delahunty, J.
Dillwyn, L. L.
Dimsdale, R.
Dixon, G.
Fowler, R. N.
Gore, J. R. O.
Gray, Sir J.
Gurney, rt. hon. R.
Hambro, C.
Henry, M.
Hermon, E.
Johnston, W.
Lea, T.
Lopes, H. C.
Macfie, R. A.
M'Laren, D.
Maguire, J. F.
Martin, P. W.
Mellor, T. W.
Mundella, A. J.
Norwood, C. M.
O'Brien, Sir P.
Palmer, J. H.
Pim, J.
Reed, C.
Smith, R.
Talbot, C. R. M.
Talbot, J. G.
Torrens, W. T. M'C.
Whalley, G. H.
Wheelhouse, W. S. J.
White, J.
Whitworth, T.
Winn, R.

TELLERS.

Chadwick, D.
Leatham, E. A.

SCOTLAND—ADMINISTRATION OF JUSTICE.—OBSERVATIONS.

MR. CRAUFURD rose to call attention to the case of the prosecution, at the instance of the Procurator Fiscal for the county of Argyll, against Sir John Orde, for assault on a boy of four years old, tried before the sheriff at Inverary, on the 21st April last. The hon. and learned Member said, that if the Answer of the right hon. and learned Gentleman the Lord Advocate, in reply to a Question on this subject put to him on the 1st instant by the hon. Member for Edinburgh (Mr. M'Laren), had been of a more satisfactory character, he should not now have brought this subject forward. The occurrence took place in November, and the complaint was not dealt with until February, and the facts proved had never been denied. From them it appeared that Sir John Orde had been driving a tandem through a village in Argyllshire, and being, as the right hon. and learned Gentleman the Lord Advocate had stated, under the impression that the child had frightened the horse, struck him with the thong of his whip. The case, moreover, had been fully proved by the groom in attendance on Sir John Orde. The lash went three times round the child's neck, and he was dragged in that manner for seven yards along the road; and after the child was released, Sir John never stopped to inquire whether the child was hurt or not. The father lodged a complaint, but nothing was done until three months afterwards. At the trial the constable who had taken the charge was not produced, nor was the superintendent; but it was a curious fact that Sir John was at the time chairman of the police committee. He never expressed any regret at what had occurred; but offered 5*s.* as a compensation to the father, who, it was asserted, had attempted to extort money from Sir John, but no proof of that statement had been given. It had been stated by the right hon. and learned Gentleman that the child was out playing the next day; but it was in evidence that he was in bed the whole of that day, and that he had received considerable injury. The case had created considerable sensation in the district, and the sheriff, in giving his decision, intimated that the case had been got up from malicious motives, that the child had deserved what it had got for running after the carriage, and that the charge was not proved. The decision arrived at was contrary to the evidence, contrary to law, contrary to justice, and a disgrace to the Judge who pronounced it; for the facts were that there was not a particle of evidence proving malice, and as to running after the carriage the child was innocently enough playing by the roadside. The case, instead of being sent for hearing to the sheriff-substitute's deputy, ought to have been sent to the principal sheriff of the county, or to the Assizes, which sat three days after this trial. The matter needed further investigation, for there was a strong feeling existing upon it in Argyllshire, and it was necessary to satisfy the people that justice would be administered equally among all classes.

Mr. Craufurd

MR. MALCOLM said, the character of Sir John Orde was held in high esteem in the neighbourhood where he resided.

THE LORD ADVOCATE said, he had little to add to the statement he had made on the same subject in answer to the hon. Member for Edinburgh (Mr. M'Laren). The right hon. and learned Lord having read the affidavit of the boy's father, in support of his statement on May 1, said it was with reluctance, under the circumstances of the case, that he had ordered the prosecution. The idea of there being a miscarriage of justice in this matter of such magnitude as to deserve that the attention of the House of Commons should be called to it, astonished him; and he did not think a stronger proof could be given of the satisfactory administration of justice in Scotland than that the hon. and learned Gentleman the Member for Ayr should have thought this was a case worthy to be brought a second time under the notice of the House.

MR. M'LAREN said, he must support the view taken by the hon. and learned Gentleman the Member for the Ayr Burghs.

Main Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

House adjourned at half after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 22nd May, 1871.

MINUTES.]—*Sat First in Parliament*—The Lord Clanbrassill, after the death of his grandfather.

PUBLIC BILLS — *First Reading* — Locomotives * (130).

Second Reading—Committee Negatived—Third Reading—Consolidated Fund (£7,000,000) *; Customs and Income Tax *, and *passed.*

Second Reading – Lunatics (Scotland) * (117); Postage * (118).

Committee—Report—Leeward Islands * (105).

Report—Ewelme Rectory * (82).

Third Reading—Judgments (Ireland) * (59), and *passed.*

UNITED STATES—JOINT HIGH COMMISSION—THE TREATY.—QUESTION.

RULES OF THE HOUSE — NOTICE OF QUESTIONS.

THE MARQUESS OF SALISBURY: I now ask the Question of which I gave Notice on Friday, on account of the noble Earl the Secretary of State for Foreign Affairs being unable to answer it at once —namely, Whether Her Majesty's Government intend to proceed with the ratification of the Treaty with America until after the Motion of which Notice has been given for the 12th of June. There being some difference of opinion, when the Notice was given, as to the nature of the answer given by the Prime Minister in the House of Commons to an analogous Question, I have referred to the words which he is said to have used. They are these—

> "When the Treaty does arrive, however, it will be immediately presented to Parliament, without waiting for its ratification."

That, of course, does not amount to an actual pledge that the decision of Parliament will be waited for before ratification, but it amounts to a constructive pledge to that effect; for to present a Treaty to Parliament and give Parliament no time to discuss it would be simply laughing at the Legislature, and making the promise entirely nugatory. I shall be glad, however, to elicit a more distinct statement of the intentions of the Government. Since I gave the Notice the necessity of the Question has been pressed upon me still more cogently by the rumours—and something more than rumours—which I hear of the deep dissatisfaction with which the news of the Treaty has been received in our North American Provinces.

THE EARL OF LAUDERDALE felt bound to call attention to a telegram which appeared in the morning papers, dated Washington, May 20, stating that Mr. Sumner had delivered a speech in the American Senate, objecting to the English apology as inadequate, and deeming an apology for England's fault in recognizing the belligerent States requisite. Mr. Sumner had also maintained that England's claims were not well-founded, and that the Treaty was only acceptable as a measure of peace. Now, the reason he (the Earl of Lauderdale) did not lose a moment in bringing this before their Lordships was, that he was not aware that this Government were ever to make an apology to the Americans. He thought it was very likely we should have to pay the claims; but this was the first time he had heard that our Government would make an apology. Mr. Sumner stated that the Treaty had been entered into for the sake of peace. It was not a question of peace or war at all. It was a question of how much money they could get out of us. He hoped the noble Earl would be able to assure the House that we were not to make an apology.

EARL GRANVILLE: I hope the noble and gallant Earl (the Earl of Lauderdale) will not think it a want of respect if, after having repeatedly refused to enter into the question of the Treaty, I utterly decline to say anything on the subject. Your Lordships are all, I believe, of opinion that it would be premature to discuss the Treaty at this moment. I can take as little notice of Mr. Sumner's statement on the one side as of the noble and gallant Earl's on the other. With regard to the noble Marquess's (the Marquess of Salisbury's) observations, I am surprised that he should have been dissatisfied with me for not departing from the Order of the House, and not answering a Question put without Notice; but, without going into the question whether it is desirable or not to observe the standing rule of the House on that subject, I must say that what passed on Friday was rather in favour of the rule —though I avow I was not, when it was moved, one of the strongest partizans for it. The noble Marquess put a Question without Notice. It did not appear to me to be right that I should answer it without Notice having been given. Whereupon the noble Marquess pressed me to answer it, and told me that Mr. Gladstone had answered the Question in "another place." I thought it odd that I should have missed reading the report of an important Question on Foreign Affairs, or that Mr. Gladstone should have abstained from telling me of an important Answer given by himself. I accordingly referred to the report in *The Times*, which does not in the slightest degree bear out the noble Marquess's description either of the Question or the Answer. I sent the report to Mr. Gladstone, and requested him to correct it. The Question put to Mr. Gladstone was this—

"I think it will be satisfactory to the country if the right hon. Gentleman will tell us when he expects the Treaty to arrive here."

Mr. Gladstone informs me that he replied—

"I am not able to name the particular day of the arrival of the Treaty, of which we have not received a final copy. When it does arrive, however, it will be immediately presented to Parliament. We shall, in this instance, depart from the general rule, and present the Treaty to Parliament without waiting for its ratification, on account of special circumstances. Among these I may mention that the Treaty has been prematurely made known in America—by prematurely I mean contrary to the intentions of the Executive Government. We expect its arrival in a very few days."

Now, obviously that Answer to that Question did not justify the noble Marquess in stating, as a reason why I should reply to a Question put without Notice, that Mr. Gladstone had answered it.

The Marquess of SALISBURY: It was not till the noble Earl (Earl Russell) had agreed to postpone his Motion, which took me by surprise, that the putting of the Question suggested itself to me.

Earl GRANVILLE: That proves my argument the more strongly, for I was assuming that he had come down prepared with all his facts to ask the Question; but assuming him taken by surprise equally with myself, the noble Marquess brings on a Question which might have induced me to make a rash answer. I remembered the old saying that a question cannot be indiscreet, it is only the answer which can be so; and I did not answer it at once, though I should have done so very nearly in the same terms. Mr. Gladstone, in his reply, accurately stated the usual course, one which, both on international and constitutional grounds, has its advantages—namely, that a Treaty, which in point of fact does not become a Treaty till it has been ratified, is only presented to Parliament after ratification. The reason why the rule should be departed from in this instance is that this Treaty has been published in the United States; and I see—although I have no official knowledge on the subject—that there has been a debate in the Senate as to the surreptitious means by which a copy of it was obtained. The Treaty having been published in America, it was thought desirable that Parliament should be also acquainted with it. When the Senate will come to a decision on the Treaty it is impossible for me to say, or in what sense that decision will be; and it is therefore impossible for me to say when the signed Treaty will arrive in this country. What I believe is that even if we were to adopt any precipitate haste in the matter it would be physically impossible that it should be ratified before the 12th of June. In making that statement, however, on a matter of fact, I utterly decline to answer the Question in the shape of a pledge that Her Majesty's Government will not advise Her Majesty to ratify it in consequence of a man, however eminent and of whatever weight, having given Notice of raising a discussion upon it in this House. The eminent men who formed the Constitution of the United States gave the Senate, together with the Executive Government, the power of making treaties. That has sometimes been inconvenient to the United States themselves, and sometimes inconvenient to other nations; but I have not a word to say against the arrangement which the United States have adopted—it is not a question to be discussed in this country. I remember an ingenious political friend of mine discussing the question of giving this House the same power with regard to treaties as is possessed by the Senate of the United States. I am far from wishing to reject all improvements in our Constitution; but I certainly decline, by the sidewind of answering a Question put with or without Notice, to make an innovation, and—to use a phrase more common on the opposite than on this side of the House—to "Americanize" our institutions. The House of Lords has an undoubted right, in common with the other House, of tendering advice to Her Majesty in the exercise of her prerogative, to condemn any act whatever, whether a treaty or not, and to discuss the action of the Government; but it is not right by a sidewind to make it the duty of the Government to submit a treaty to the House of Lords before it is ratified by the Queen on the advice of her responsible advisers.

The Earl of CARNARVON: I did not understand my noble Friend (the Marquess of Salisbury) to suggest that it was the duty of Her Majesty's Government to submit this Treaty to the House of Lords before it is ratified. He simply asked whether it was the intention of the Government to give the

House an opportunity of discussing the Treaty before it was ratified. I wish to say one word on the question of Order. The noble Earl stated it to be a rule of this House that every Question must be preceded by Notice. With great deference to the noble Earl, I deny that it is the rule of the House that Questions should not be asked without Notice. All that exists is the recommendation of a Select Committee—of which the noble Earl and I were members—that, except in cases of urgency, it should not be the practice of independent Members of the House to ask questions which were calculated to raise a debate. It is not binding on any noble Lord; it is simply a matter of courtesy and practice, and I utterly deny that it is in any sense a rule of the House. The noble Earl is so very decided upon this point that I will not now ask him a Question without Notice; but I will venture to make a request that when the text of the Treaty is printed certain other Papers of great importance should be presented with it. It has been repeatedly stated that Her Majesty's Government consented that the Treaty, before it received the sanction of the Crown, should be submitted for the concurrence, in some shape, of the Canadian Parliament. I have seen that stated in print, and I imagine it is true. I hope, therefore, that the noble Earl, when laying the Treaty on the Table, will consent to produce such communications as have passed between the Imperial and Canadian Governments with reference to this important question. As to the Treaty, I suspend my judgment on it till I see the text, for as yet we have only seen fragments in newspapers. I agree, however, with my noble Friend (the Marquess of Salisbury) in feeling great anxiety as to how far Canadian interests are protected in the Treaty. The interests of Canada and of this country are one, and anything which would be viewed by Canada with doubtful or mixed satisfaction would certainly not be a subject of great pleasure to this country.

Earl RUSSELL: I do not think that any practical conflict will arise, for after what my noble Friend the Secretary of State has stated, there seems to be hardly a possibility that the Ministers of the Crown should have the Treaty before them for the purpose of ratification before the 12th of June, on which day I shall propose my Motion. I cannot, however, agree with the constitutional doctrine of my noble Friend. I have always thought that Parliament is the Great Council of the nation, the chief adviser of the Crown, and that this House has a right to give advice to the Crown at any period in the exercise of any part of the prerogative. But even though it may not be a matter of right to give advice to the Crown before the Treaty is ratified, yet, as a matter of courtesy, I think that if a Treaty had arrived, and if Notice of a Motion had been given by anyone upon it, the Ministers of the Crown would show great disrespect to this House if they proceeded to ratify it without giving us the opportunity of expressing an opinion.

Earl GREY: I am sorry to differ from so high an authority, but on this point I must entirely differ from the noble Earl (Earl Russell). Ever since I have been in Parliament I have invariably heard the rule of our Constitution and of Parliament stated by the highest authorities to be this—that treaties were never to be laid before Parliament until they had been ratified; that the responsibility of ratifying or refusing ratification rested with the Ministers; that when a treaty had been ratified it was quite competent for Parliament to censure the conduct of Ministers, and that the Crown had never been in the habit of abdicating responsibility and presenting treaties before they were signed. There are strong reasons for adhering to this ancient principle of our Constitution. Diplomacy cannot be properly carried on in large legislative assemblies. When questions are at issue between this and any other nation, it is far better that the responsibility of dealing with them should rest with the Ministry than that Parliament should step in and pronounce a decision before the Crown had had an opportunity of doing so. Such a mode of conducting diplomacy would not, I think, conduce to a good understanding with other nations. I agree with my noble Friend the Secretary of State for Foreign Affairs that some countenance would be given to the new and, as I think, the erroneous principle, if the Government had undertaken to withhold ratification until there had been a discussion here. Parliament has never claimed such a right; and the result of adopting such a course would be that the Ministers would get rid of their responsibility. Therefore, though it may be convenient that this Treaty should be discussed before it is ratified, I am persuaded that the Government are right in declining to give any pledge of the kind, and in adhering to constitutional practice.

Lord CAIRNS: I do not propose to continue the discussion: but with regard to the rule of giving Notice, I think my noble Friend (the Marquess of Salisbury) was perfectly justified in putting the Question he did on Friday night; and I must also say that the noble Earl opposite (Earl Granville) was perfectly justified in refusing to answer it if he was not prepared to do so at the time. There must sometimes be cases of urgency, when Questions must be put without Notice, and it is then for the Minister to say whether, in his discretion, there is good reason for refusing to answer them at once. With regard to constitutional practice, I entirely agree with what has been said by the noble Earls. The essence of the Constitution is that the responsibility of concluding treaties should rest with the Crown, and it would be shifting that responsibility from the Executive to Parliament were the Government to invite or court the opinion of Parliament on a treaty before the assent of the Crown had been given to it. I did not, however, understand my noble Friend (the Marquess of Salisbury) to intend to throw any doubt upon that practice. I believe he desired, as matter of information, to know whether the Treaty would be ratified before the House met again and had an opportunity of discussing it. Nor did I understand the noble Earl (Earl Russell) to differ from the noble Earl (Earl Grey), or to say more than this—that, as it is the right of the Crown, and the duty of the Executive Government, to conclude treaties upon their own responsibility, so it is also the correlative right of Parliament, at any time before it is too late, to step in and tender respectful advice to the Crown on the subject. Turning to a more practical point, I understand that the Government are not in expectation of receiving this Treaty ratified on the part of the American Executive for some little time longer; but I understand that the text of the Treaty has been published in the United States. Now, inasmuch as the text either has arrived, or will arrive immediately, and inasmuch as it is to be published prior to ratification, I do not see what harm can arise if it is communicated to Parliament at the earliest opportunity.

Earl GRANVILLE: We received the first formal copy of the Treaty yesterday afternoon. It is now in the printers' hands, and I hope to present it to-morrow. As to the additional Papers, it is obvious that there are Papers which it would be quite right to present after the ratification of the Treaty by the United States, but which it would not be convenient to present until we know a little more what the prospect of the ratification is. With regard to the giving Notice of Questions, I find in the Standing Orders, under date the 2nd of April, 1868, this Resolution—

> "That it is desirable where it is intended to make a statement or raise a discussion in putting a Question that notice of it should be given in the Orders of the Day."

I think the noble Earl (the Earl of Carnarvon) was wiser when he stated that he would not discuss the Treaty before the text of it appeared than when he went on to question one of the most important portions of the Treaty, and one of a very delicate nature—that connected with Canadian questions.

The Earl of CARNARVON said, he adhered to his construction of the Standing Orders, and was ready, if the noble Earl wished, to discuss the matter at a future time.

Earl STANHOPE, as one of the framers of the rule, differed from the noble Earl (the Earl of Carnarvon). The Resolution of the House was that Questions should not be put without Notice, except in cases of urgency.

The Marquess of SALISBURY pointed out that the Resolution referred to cases where it was intended to make a statement or raise a discussion. Now, in putting the Question on Friday night he neither intended to make a statement or raise a discussion.

Earl GRANVILLE remarked that, whatever the noble Marquess's intention had been on Friday, it had been proved to-night that his Question was calculated to raise a discussion.

LOCOMOTIVES BILL [H.L.]

A Bill to consolidate and amend the Law regulating the use of Locomotives on Roads—Was *presented* by The Lord DUNMORE; read 1ª. (No. 130.)

House adjourned at Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 22nd May, 1871.

MINUTES.]—SELECT COMMITTEE—Contractors Act, *appointed.*

Twenty-third Report—Public Petitions.

Report—Turnpike Acts Continuance [No. 244].

PUBLIC BILLS—*Ordered—First Reading*—Intoxicating Liquors (New Licences)* [157]; Land Drainage Supplemental* [158].

Second Reading—Pier and Harbour Orders Confirmation* (No. 3)* [153]; India (Local Legislatures)* [154]; Norwich Voters Disfranchisement* [155]; House of Commons (Witnesses)* [156].

Committee—Army Regulation [39]—R.P.

Committee — Report — Public Health (Scotland) Act (1867) Amendment* [92]; Local Government Supplemental (No. 2)* [115].

Third Reading—Dogs* [149]; Marriage Law (Ireland) Amendment* [93], and *passed.*

IRELAND—DEATH OF BERNARD YOUNG.—QUESTION.

MR. W. JOHNSTON asked the Chief Secretary for Ireland, Whether any inquiry has taken place into the circumstances attending the death of Bernard Young, on the 3rd of March 1870, on his way from Belfast Gaol to the Glencree Reformatory; whether such death occurred in consequence of his exposure to the severity of the weather without sufficient clothing; and, whether any, and, if so, what proceedings are about to be instituted in the matter?

THE MARQUESS OF HARTINGTON said, in reply, that a very full inquiry was instituted soon after the occurrence into the circumstances attending the death of Bernard Young, on his way from Belfast Gaol to the Glencree Reformatory. The death occurred in consequence of exposure to the severity of the weather without sufficient clothing. As the hon. Member was aware, the circumstances were very peculiar; but the investigation did show that there had been a want of sufficient care and attention on the part of several of the officers, and those officers, or some of them, received a severe reprimand from the Government. Measures have been taken by which the recurrence of a similar misfortune would, it was hoped, be prevented. It was not, however, in contemplation to take any further proceeding in the matter.

POST OFFICE—COMPENSATION TO TELEGRAPH CLERKS.—QUESTION.

MR. CHARLEY asked the Postmaster General, Whether any, and if any what, impediment exists to the payment of the balance of the purchase and compensation moneys which became due from the Government on their taking possession of the undertakings of the various Telegraph Companies, and to settling the amount of the annuities payable to the officers and clerks of those Companies under the provisions of the Telegraph Act, 1868?

MR. MONSELL, in reply, said, a certain portion of the purchase money had been retained by the Post Office authorities until all the outstanding questions of account between it and the companies had been settled. The whole sum payable for compensation in the case of the British and Irish Magnetic amounted to £1,243,000, and out of that a sum of £29,000 had been retained. There was paid £562,000 to the United Kingdom Telegraph Company, out of which £20,000 had been retained. With regard to pensions to discharged officers of the companies, several questions had arisen which it had been found necessary to refer to the Law Officers of the Crown, and as soon as their opinions had been obtained the cases of those persons which stood over for the present would be considered, but in the meantime payment would be made on account; 171 claims had been made for pensions and 147 had had payments made to them.

ELEMENTARY EDUCATION ACT—INSPECTORS OF SCHOOLS.—QUESTION.

MR. DIXON asked the Vice President of the Council, How many Inspectors of Schools have been appointed since the passing of the Elementary Education Act, and to what denomination they are supposed to belong?

Mr. W. E. FORSTER, in reply, said, that Earl de Grey, with whom rested the appointment of inspectors, had appointed 12 permanent inspectors since the passing of the Elementary Education Act. The offices of two inspectors had been made permanent, and ten fresh appointments had been made. It was true that the notifications had only lately been issued; but the names had been fixed upon prior to Lord de Grey's leaving England. With regard to the latter portion of the hon. Member's Question, it was almost impossible for him to answer it. He had not been informed to what denomination these gentlemen belonged, nor did he believe it was his business to try and find out. Before the passing of the Elementary Education Act it was necessary to find out, because we then had denominational inspection. That was, however, no longer the case, and he did not feel justified in asking these gentlemen what their religious opinions were. If it was the fact that none of them were Dissenters, it was not owing to that circumstance, but solely to their educational qualifications, that they had been appointed by Lord de Grey.

ARMY—ROYAL TYRONE FUSILIERS.

QUESTIONS.

Mr. Serjeant SHERLOCK asked the Secretary of State for War, Whether his attention has been called to the recent promotion of a junior Captain in the Royal Tyrone Fusiliers to the rank of Major in that regiment, this junior Captain having never served in the Army and only ten years in the Militia, whilst three Captains were passed over, including the senior Captain, who had served for five years in the Army, chiefly on Foreign Service?

Colonel STUART KNOX said, that he would put a Question as an addition to that of his hon. and learned Friend, because the forms of the House prevented his making a statement on the subject. He, however, wished to be allowed to state that the present Lord Lieutenant of Tyrone disposed of his patronage, whether civil or military, fairly, honestly, and impartially, and to the satisfaction of all parties. He begged to ask the Secretary of State for War, Whether the officer who has been promoted to a Majority in the Royal Tyrone Fusiliers has not specially qualified himself for promotion by having obtained a first class certificate at Hythe; and, whether his intelligence and zeal have not caused the authorities to take the unusual step of appointing him (after his promotion as a Field Officer) to the post of Musketry Instructor to his regiment?

The Marquess of HARTINGTON said, in reply, that the officer referred to (Major M'Clintock) was recommended for his majority in this regiment by the lieutenant colonel of the regiment and the Lord Lieutenant of the county. The latter stated in his recommendation that he was not the senior captain, but there were reasons for believing that the promotion would conduce to the interests of the service. It was true that he passed over the head of an officer who had previously served in the Army, but it was 16 years since the officer so passed over had left the service, in which he had never risen above the rank of lieutenant. It was also true that the officer promoted was in possession of a second-class certificate from Hythe, and though it was not necessary that officer should obtain this certificate, its possession showed zeal and some military qualifications. It was also true that he was at present engaged in performing the duties of Musketry Instructor to the regiment. As hon. Members were aware, it was sometimes extremely desirable that gentlemen of rank and position in connection with the county should be promoted to vacant majorities, and, as far as he had been able to ascertain, the qualifications of Major M'Clintock were accompanied by an entire fitness for the post.

IRELAND—JURY PANELS OF MONAGHAN.—QUESTION.

Mr. CALLAN asked the Chief Secretary for Ireland, Whether the Mr. Mitchell whose name appears as sub-sheriff of the county of Monaghan for the present year, is the same Mr. Mitchell who was found by the "Triers" at the Spring Assizes of 1869, for that county, to have unfairly and improperly framed the Jury Panel of said county, and for retaining whom as sub-sheriff Captain Coote was dismissed from the office of high sheriff in July 1869; and, if so, is the Irish executive prepared to sanction his continuance in an office wherein he can "constitute further panels for the county of Monaghan?"

The Marquess of HARTINGTON said, in reply, that the Mr. Mitchell who had been appointed sub-sheriff of Monaghan was the same person as was found by the "Triers" at the Spring Assizes of 1869 to have improperly framed the jury panel of Monaghan. When his appointment as sub-sheriff became known to the Irish Government, the Lord Lieutenant communicated with the high sheriff, called his attention to the occurrence of 1869, and pointed out the necessity of his exercising careful personal supervision over the preparation of the jury panel. The high sheriff had replied undertaking to do so, and under the circumstances, although it was to be regretted the appointment had been made, the Government thought there was not sufficient reason for further objecting to it, but that it would be better to trust to the sense of honour and impartiality of the sheriff, who, he had no doubt, would not give occasion for further complaints.

ARMY—ANGLESEY MILITIA.

QUESTION.

Mr. RAIKES asked the Secretary of State for War, Whether any steps have been taken to appoint any Officer to the command of a Company in the Anglesey Militia, which has been without a Captain who could take part in the training of the Regiment for the last three years; whether it is the fact that a Captain in the Army on half-pay, who was lately Adjutant of his Regiment, applied for the vacant Company in March last, with the approval of the Colonel commanding the Regiment, and was refused; and, whether he is prepared to justify the course followed in this case by the Lord Lieutenant of Anglesey?

Mr. CARDWELL: Sir, the formal resignation by which the vacancy has been made was sent to the War Office by the Lord Lieutenant on the 17th of April. The Lord Lieutenant made an alternative recommendation, either of the officer referred to in the Question or of the senior lieutenant. The reply from the War Office has been to direct that the senior lieutenant shall be examined, and if found properly qualified he will be promoted. I am not aware of anything which should lead me to express an opinion adverse to the course which in the exercise of the discretion reposed in him by law the Lord Lieutenant has thought it proper to pursue.

Mr. OWEN STANLEY said, that if the hon. Member before putting this Question had communicated with him, (the Lord Lieutenant), he would have convinced him it was unnecessary to do so. It was the most unusual course for an hon. Member to attempt by putting a Question to obtain a censure from the Secretary of State for War on the conduct of the Lord Lieutenant in such a case without previously communicating with him. That an officer was allowed to retain his appointment without having taken part in the duties of the regiment for three years rested with the lieutenant colonel of the regiment. Acting as Lord Lieutenant, he had privately requested that officer, Captain Roberts, to send in his resignation, and he did so; but the lieutenant colonel declined to accept it. But in order that there should be no doubt upon the question, he had requested the Secretary of State for War to institute all necessary inquiries to see whether he was in any way deserving of censure.

BETTING ADVERTISEMENTS.

QUESTION.

Mr. ANDERSON asked the Secretary of State for the Home Department, If his attention has been called to the prevalence of Betting Advertisements in Newspapers; and, whether such incitements to betting are legal or illegal; and, if illegal, whether he is prepared to take any steps to put them down?

Mr. BRUCE: Sir, I am well aware that a great number of these advertisements appear in newspapers, especially in sporting newspapers. Some of them are not necessarily illegal under the Act which regulates such matters—namely, the 16 & 17 *Vict.;* but some of them would be illegal if the Bill now before the other House of Parliament, a measure prosecuted by Her Majesty's Government, had become law, inasmuch as it extends the law which relates to England to Scotland and other places. Many of the advertisements to which the Question of the hon. Member refers appear in the Scotch papers, and therefore are not now subject to prosecution. Others remain, which are probably illegal. Where those occur within the jurisdiction of the metropolitan police, due attention is given to them, and I may say a great effect has been produced by the efforts of the police to remedy this evil of betting houses. But where they occur beyond their jurisdiction, the local authorities have been left to deal with the matter. This has been done in Manchester and Liverpool very successfully; and I have no doubt the same result has followed in other places where the attention of the local authorities has been called to the subject.

INCOME TAX ON RETIRED PAY OF INDIAN OFFICERS.—QUESTION.

COLONEL SYKES asked Mr. Chancellor of the Exchequer, Whether under the 104th section of the Income Tax Act, (5 and 6 Vic. c. 35,) it is either legal or just to charge Income Tax upon permanent deductions made from the retired pay or furlough allowance of Indian Officers for Military Fund or Widows and Orphan Funds, as is at present done by the Bank of England and the India Office, instead of charging Income Tax upon their net pay?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he believed it was legal to deduct income tax from the gross pay of officers retired or on furlough, without making allowance for permanent deduction on account of Military Fund or Widows and Orphan Funds. Whether it was just was another question. The Orphan Fund was entirely for the benefit of the orphans, and the subscribers did not in any way participate in it; and it was questionable whether income tax should be charged on the deduction. In the case of the Military Fund the subscribers benefited; but the cases were sufficiently analogous to make them both proper subjects for consideration.

CONVICTION OF CHILDREN AT ALDERSHOT.—QUESTION.

MR. STRAIGHT asked the Secretary of State for the Home Department, Whether he has made inquiries as to a charge of wilful damage, to the amount of 2*s*., heard before the magistrates at the Aldershot Petty Sessions on Thursday the 11th instant, against six children, named and aged respectively as follows: John George, 8; Matthew Wiltshire, 7; James Burgess, 8; Arthur Wells 9; Jane Luff, 9; and Mary Ann Warren, 9; upon which they were all convicted, and severally sent to prison for a period of two months; and, whether, having regard to the ages of the defendants, the circumstances of the case, and the severity of the sentence, he will interfere?

MR. BRUCE said, in reply, that there was, in this case, the usual discrepancy as to age between the statement made on the part of the magistrates and that which had appeared in the newspapers. According to the former, the age of the youngest child was nine, and that of the eldest 14 years. For many years past, and especially during the last three years, the butts had been constantly torn down for the purpose of taking away the bullets fired into them. Children were usually sent there by their parents, who lived upon the plunder, and they hovered about while shooting was going on, in order that they might rush in upon the butts directly the soldiers retired, and great risk to life arose from this practice. During the last three years no fewer than 33 children had been sentenced to different terms of imprisonment, with a view to their being deterred from committing the offence. Generally, they were found to be children of the same family. In the present instance three of the children belonged to the same family, and they had previously been punished. Some time ago Captain Chapman, the Instructor in Musketry, brought the circumstances of the case prominently before the magistrates. He suggested that additional policemen should be employed to deter children from exposing their lives and from injuring public property. They had been repeatedly warned, but in vain; and Captain Chapman recommended strongly, in the interest of the public and of the children themselves, the offenders should be apprehended and severely punished. In order that the House might the more clearly understand how very difficult were the circumstances with which the magistrates had to deal, the right hon. Gentleman read the Report of Captain Chapman, which was in accordance with his own observations. In conclusion, he stated to the House that he did not feel justified in interfering with the decision of the magistrates, except that he had made one suggestion—namely, that a distinction should be made between those children who had been previously convicted or warned and those who had not, when the magistrate proceeded to punish them.

THE ECCLESIASTICAL TITLES ACT REPEAL BILL.—QUESTION.

Mr. CHARLEY asked the First Lord of the Treasury, Whether he considers that the Select Committee on the Ecclesiastical Titles Act Repeal Bill is fairly constituted, considering that of the eleven Members only two, and of the seven legal Members only one, object on principle to the repeal of the Act, and that all the honourable Members who voted or paired against the Bill have been excluded from the Committee?

Mr. GLADSTONE said, in reply, that he did not hold himself responsible for the constitution of the Committee on that Bill as a whole, but merely for the suggestion, subject to the pleasure of the House, of the names of those of its Members generally who sat on that (the Ministerial) side of the House. There were only five Gentlemen sitting on that side who voted in the minority on the second reading of the Bill; and one of them—the hon. and learned Member for Marylebone (Mr. T. Chambers)—was a gentleman who had taken a leading part on the subject, but he declined to serve on the Committee when asked to do so, as did also the right hon. Member for Kilmarnock (Mr. Bouverie). Considering the extremely small number of those who voted in that sense, he did not think it was the duty of the Government to take any further step in the matter. He felt bound, however, to say he did not see that any great blame was to be attached to anyone in regard to the formation of that Committee. The object of the Commitee was not to fight the principle of the Bill, but to consider its language when its principle had been affirmed. The numbers voting on the question that the Bill should be referred to a Select Committee were, 73 for it and 10 against it. As a Committee ought to be constituted so as to represent the feeling of the House, he did not think there was any good ground of complaint against the constitution of this one; but he would remind the hon. and learned Member that the proper time for questioning the fairness of its composition was when the names were proposed.

BANK HOLIDAYS BILL.—QUESTION.

Mr. M'LAREN asked, Whether it is in accordance with the Standing Orders of the House that the Bank Holidays Bill should have been brought down with Amendments from the House of Lords late last Friday night or early on Saturday morning, and that their Minutes should state that the Lords' Amendments were to be considered forthwith, and that they were considered and agreed to? That was all the information they had about the matter. He had had no notice of it, though he was in the House till half-past one on Saturday morning. The result was that the Lords had made that Bill applicable to Scotland in certain particulars in respect to which it was not so made applicable by the House of Commons, and that new holidays had been appointed, of which the people of Scotland had had no notice whatever.

Mr. SPEAKER was understood to say the rule was that the Lords' Amendments on public Bills should be appointed to be considered on a future day unless the House should order them to be considered forthwith. In the present case it was directed that the Lords' Amendments should be considered forthwith.

ARMY REGULATION BILL—[Bill 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

COMMITTEE. [*Progress* 18*th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Sale of commissions prohibited after a certain day).

Sir GEORGE JENKINSON said, he wished, before the question of exchanges was finally disposed of, to move an Amendment on this clause, which, if adopted, would prevent the great hardship upon officers which would result from the operation of the Bill as it stood. Accordingly, he proposed to insert in a Schedule the cases in which exchanges should be allowed, and he was willing that all such exchanges should be subject to the approval not only of the Commander-in-Chief, but of the Secretary of State for War. He proposed that the following cases should be specified in the Schedule—namely, those of officers serving abroad and who were invalided; or whose wives or children might be ill; or whose parents had died in England; or who had acquired property. Such exchanges would cost the country nothing, and ought not to be objected to. He therefore begged to move his Amendment.

Amendment proposed,

In page 1, line 24, after the word "exchanges," to insert the words "except in certain cases to be specified in the Schedule annexed hereto."—(*Sir George Jenkinson.*)

Mr. CARDWELL said, that there was every disposition on the part of the Government to consider the question with a view to make reasonable arrangements to facilitate exchanges in such cases as had been referred to; but they could not depart from the principle of not legalizing the payment of money by one officer to another as a consideration for the exchange.

Sir GEORGE JENKINSON remarked that to prohibit money payments in all cases of exchange was to prohibit such exchanges altogether.

Colonel ANSON remarked that no reason had been urged why money should not pass, and the right hon. Gentleman the Secretary of State for War knew better than anyone present that the idea of exchanges from one country to another was absurd without the payment of money. Moreover, when making a vast change like that proposed by the present Bill, the House should be careful that they were not giving men just and moral grounds for discontent.

Colonel JERVIS, in supporting the Amendment, said, the House ought to be quite satisfied upon its merits before they passed it; he, therefore, drew attention to the statement that had been made the other evening by the right hon. and gallant Gentleman the Surveyor General of the Ordnance (Sir Henry Storks), to the effect that if an officer were invalided from abroad he could come home and go upon half-pay, and that when he had recovered his health he would be brought into a regiment in his turn. If the right hon. Gentleman the Secretary for War had made such a statement there might have been some excuse for him; but that the Parliamentary adviser of the head of the Department should do so was somewhat surprising, and it was natural for those who knew no better to put some trust in his statement. But in a semi-official work recently published by the Solicitor for the War Office, it was clearly stated, without controversy, that an officer had no absolute right to be placed on the half-pay list, or to remain there; and a gallant officer who had served with distinction in the Crimea, in the Indian Mutiny, and in China, in giving evidence before a Committee of that House, known as Mr. Childers' Committee, stated that no invalided officer had a right to go upon half-pay until he had completed his 25 years' service, and that he was merely placed in case of ill-health upon temporary half-pay. This was fully corroborated by His Royal Highness the Field Marshal Commanding in Chief. Then, although the right hon. Gentleman had stated that an officer exchanging would be allowed the expenses of his passage would still continue, this was simply an old regulation, but the practical result of the proposed alteration was that an officer exchanging could not move his family a considerable distance, say Malta, or Canada, on the miserable salary received from the Government, and he therefore hoped the Government would re-consider the point.

Sir HENRY STORKS said, he did not know that either he or his hon. Friend were open to the charge of knowing nothing of the subject under discussion. He stated the other night, and would repeat it now, that if an officer was invalided when he arrived home he was inspected by a medical board, and if they recommended that he should retire he was placed temporarily upon half-pay; and at the expiration of that period, if his health was not restored, a further period of half-pay would probably be granted, with the consent of the Treasury, and when he perfectly recovered, he would be replaced on full-pay. That was the regulation. With regard to passage money, that also was governed by the regulations. His right hon. Friend the Secretary of State had stated that every facility would be given to officers whose health was impaired to effect an exchange. The hon. and gallant Gentleman opposite (Colonel Anson) knew as well as he (Sir Henry Storks) did that exchanges were constantly being made in which there were money transactions. Officers exchanged from half-pay to full-pay, for which exchange they paid large sums; exchanges were made from one regiment to another by means of large payments. Those were the cases to which objection was made, for it was directly contrary to the principle of this Bill to admit any such money transactions.

LORD EUSTACE CECIL said, the right hon. Gentleman the Surveyor General merely spoke of health; but there were other and very good reasons besides that of health why any officer should occasionally desire to go home; for instance, family circumstances, or the health of his wife or of his children might require an officer to go home. The Committee had heard a great deal about the immorality of money passing from officer to officer; and he presumed the Secretary of State for War would explain more fully why he thought such transactions were immoral. For his part, he could not see anything immoral in money passing, neither did he know of any such new commandment in addition to the Decalogue as that—"Thou shalt not allow money to be given from one officer to another officer." In other professions they found that money passed from individual to individual; for instance, it was well known that money passed from one country doctor to another country doctor to establish him in practice; in the same way solicitors gave money one to another; and in the same way, they all knew, Church livings were bought. Why were officers of the Army to be made an exception to the general rule of all other professions?

SIR HARRY VERNEY said, his noble Friend (Lord Eustace Cecil) had not mentioned any instance in which money passed from one man to another in the public service, and it was there the difference lay between the two cases. Was it not perfectly true that our public Departments were absolutely free from the suspicion of any pecuniary corruption, and that in that respect we stood alone among the nations of the world? If his right hon. Friend the Secretary of State, however, would give a little more explanation as to the mode in which selection and retirement would be carried out, he would do much to reconcile to his scheme many who were now opposed to it; and he might also, if he pleased, state whether there was to be a board of general officers to assist the Commander-in-Chief. There never would be more honourable, upright, or devoted men to officer our Army than we had at present; and by amalgamating the services, promoting officers from the Regular Army to the Reserve and Militia, they might, at the same time, give a greater scope for the primary education and training of officers of all branches of the Military forces, place the Militia and Reserves under competent men, and do justice to the officers of the Army. In foreign countries civil offices were given to military men; and the same thing might be done with advantage in this country. He also thought, if manœuvres on a large scale were habitually practised, it would enable the chiefs of the Army to ascertain who are the most fit officers for promotion by selection.

MR. NEWDEGATE said, he agreed with the hon. Baronet the Member for Buckingham (Sir Harry Verney) that it was necessary that the officers of the British Army should be adequately and scientifically educated for their profession, and the hon. Baronet must be aware that their education had already of late years been greatly improved and extended; but he (Mr. Newdegate) could not see that the further improvement of the education of officers was inconsistent either with the system of exchanges, or with that of purchase under adequate supervision; he should gladly see a system introduced by which no officer should become a field officer, or even obtain the command of a troop or a company without having passed a distinct examination; and it would not be easy for any hon. Member to propose a system which he (Mr. Newdegate) would condemn as too severe in these respects. Count Cavour had wisely made the Italian Army the great educational college of his country. The payment for exchanges had been spoken of as a corrupt transaction, and as unknown to the civil branches of the public service; but then there was no other service in which men were dealing with their lives. The security against corruption in the Army was, that men were dealing with their lives; and it was for that reason that the officers ought, either through purchase and the power of exchange, or by some other means, to have a practical voice in the appointment of their comrades. The officers in each regiment of the Prussian Army had a direct voice in the primary nomination of each cadet to a commission in their regiment practically, and although it was at a subsequent stage, the officers of each English regiment had, through the system of purchase and exchange, indirectly, it was true, but efficaciously, a voice in the appointment of their comrades, and he (Mr. Newdegate) held that there was nothing corrupt in that. In this country there was a large propertied class; it was owing to that fact, and as a means of enlisting that class, that the systems of purchase and exchange had been permitted; and they operated to the advantage both of the wealthier and the poorer officers of the Army: they constituted a system of insurance provided by the wealthier classes for their own convenience, in the benefits of which the less wealthy officers participated, and were intended to participate; he could see nothing corrupt in that, and he desired by continuing the system of purchase and exchange to utilize both the propertied families and their property for the benefit of the State. That had been done through the present system, and he desired to continue it; he could see nothing corrupt in that. When Doctor Keate was Headmaster of Eton, and any boy was very unruly, the Doctor used to say—"You will do for the Blues," meaning he should be placed under discipline; there was nothing corrupt in that. The Government wished to reduce the officers of the Army to the condition of those in the non-purchase corps; now, what was their condition? In the event of the failure of their health, they would be permitted to come upon temporary half-pay, and the right hon. and gallant Gentleman the Surveyor General (Sir Henry Storks) had said that that half-pay might be renewed by a political officer, who was to change with each change of Government. If a man had risen from the ranks, or had no private fortune, he was to be entirely at the discretion of the Secretary of State for the means of living from year to year. Now, he was unwilling to leave these men to the chance charity of a civilian Secretary for War, for he held that they had earned a provision equivalent to that which, through purchase, the officers of the Army had generally provided for each other.

COLONEL STUART KNOX said, that the Committee would be deeply indebted to the hon. Gentleman opposite (Sir Harry Verney), if he succeeded in extracting from the right hon. Gentleman the Secretary of State for War more explicit statements respecting the Government scheme of retirement. [MR. GLADSTONE dissented.] He observed that the right hon. Gentleman made a sign in the negative.

MR. GLADSTONE: If the hon. and gallant Gentleman opposite refers to me, I have to say that I made the observation that this clause does not refer to the question of retirement.

COLONEL STUART KNOX said, that perhaps the right hon. Gentleman would tell him which clause did; it was the great question of the Bill, though the Government designedly refused to enlighten them on it. He should also be glad to know whether the "consent of the Treasury," to which the right hon. and gallant Gentleman the Surveyor General of Ordnance had referred as necessary before temporary half-pay could be granted to invalided officers, was ever refused? Because in that case it was obvious that the War Office would often have to say—if the regulated number of officers were already on half-pay—that the Treasury refused to sanction any further payments on that account.

THE EARL OF YARMOUTH hoped the Government would not insist upon prohibiting the passing of money between officers effecting exchanges. Exchanges of the kind were purely commercial transactions between man and man; and if they were not permitted, many officers who would otherwise have become ornaments to the service would be compelled to retire from it.

COLONEL SYKES said, the desire of officers to exchange would be put an end to if the Secretary of State would adopt the system under which, in the Indian Army, when an officer fell into ill-health, he was allowed to proceed on sick leave to Europe until, with renewed health, he was restored to his regiment, his place in the regiment not being filled up. In the Royal Army, on the contrary, when an officer abroad fell sick he was sent to Europe, placed upon half-pay, and his place in his regiment was filled up. An outlay of money might obtain for him any change; and influence might restore him to full-pay. The system inflicted an injury upon him, which the practice in the Indian Armies avoided. The Committee being in doubt what was the question which the House was considering, he would ask the Chairman what it was, for he had not heard it put?

The CHAIRMAN: The Question was properly put from the Chair; and if he should be called upon to repeat the Question for the convenience of every hon. Member who had not heard it, he did not think it would be conducive to the progress of business.

Lord JOHN MANNERS said, it would be satisfactory to the Committee to know how far Her Majesty's Government agreed in the views of the hon. and gallant Gentleman who had last spoken (Colonel Sykes). At the same time he could not help thinking that at present the explanations of the right hon. Gentleman the Secretary of State were singularly curt and unsatisfactory.

Sir HENRY STORKS said, he would repeat that the practice was for an officer whose health failed on a foreign station to be sent home on sick leave, which was afterwards extended, if necessary; and in case the officer's services were urgently required with his regiment before his health was completely restored, he was placed on temporary half-pay. In reply to the hon. and gallant Member (Colonel Knox), he must say that he had never known the Treasury refuse consent to a proposal to put an officer on temporary half-pay under the circumstances to which he had just alluded.

Sir GEORGE JENKINSON said, the right hon. Gentleman the Secretary of State for War, who had spoken against his proposition, seemed to forget that it was not the interest of the officers alone which demanded sanction to a system of exchanges such as he desired. This would be perceived from a reference to his Schedule, which proposed to permit exchanges where an officer serving abroad, or his wife or children, were suffering from the climate; where the wife or children of an officer were compelled to remain in England on account of ill-health, or any other valid reason; where the wife of an officer serving abroad should have died at home, and his children required his attention; or in case of the ill-health or death of any member of an officer's family; the *bona fides* of every such case to be inquired into by the authorities at the War Office, and no officer so exchanging to have a title on subsequent retirement to compensation in respect of any consideration paid by him for such exchange.

Mr. CARDWELL said, he valued highly the virtue of courtesy, and, in reply to the observation of the noble Lord the Member for North Leicestershire (Lord John Manners), he should be sorry if anybody could justly charge him with being discourteous. There was, however, courtesy to the House as well as to individuals, and it would be for the Committee to say whether, after the decision that had already been given, and what had been said on both sides, in reference to exchanges being allowed, he ought to be called upon to make long speeches upon the renewal of the question. He appealed to hon. Members whether the arguments which had been used this evening were not a repetition of those that were addressed to the Committee at the last Sitting? If the hon. Baronet the Member for North Wiltshire (Sir George Jenkinson) thought that a juster provision could be made for any class of officers, the Government would consider any proposition that was made to them by him; but it must not involve any pecuniary engagement, because against that the Committee had already decided. [Sir George Jenkinson said, he would bar that.] He (Mr. Cardwell) thought that would remove one objection; because he must follow the decision of the Committee, and could not therefore insert any pecuniary inducement in the Bill. It must be seen that, if payment for exchanges were legalized, in future no officer would exchange without a payment being made to him. This debate had been protracted by the bringing forward of subjects that had previously been replied to, and that he should discuss them further was neither required by courtesy, nor justified by common sense.

Mr. GATHORNE HARDY said, he was sure his noble Friend (Lord John Manners) had no intention to dispute the courtesy of the right hon. Gentleman, whose speech the noble Lord had said was "curt"—a word which did not imply discourtesy. The right hon. Gentleman complained of the repetition of these matters; but why did that occur? The reason of that repetition was, because the right hon. Gentleman would not tell the Committee once and for all what it was that the country was about to purchase. Hon. Members like himself could not tell what was to be the future of the Army. The subject was comparatively new to many of them, and what they desired to ascertain was what the country would get in return for the enormous sum that was about to be expended. If the right hon. Gentleman would convince them that upon this Bill there was to be founded an Army organization that would give peace and security to the country, they would willingly pay any amount for it; but they were obliged to ask over and over again for information, because as to the future all was dark; and it might be that by next year the Government would have totally changed that plan of organization which they now had in their minds.

SIR JAMES ELPHINSTONE said, he considered this Bill an Army Disorganization Bill. His constituents desired to know whether either the country or the Army wanted this Bill passed, or whether it was brought forward because of the exigencies of the Government and those charlatans who had paraded the country; they also wished to know where it was to land them, and what it would cost? They were told that no money was to pass on an exchange in the Army; but in that House he had seen that when an hon. Member was good enough to vacate his seat to make way for some other Gentleman, the retiring Member was always well provided for. He had been brought up in a service in which purchase prevailed, and he did not consider there was anything immoral about payment on exchange; although the House had agreed to the abolition of purchase, without the slightest guarantee that the country would get a bayonet more by it than it had at present. Until the whole scheme was before the House—until it knew what was to be paid for the abolition of purchase and for increased pay—for increased pay must be given and pensions provided for men when they grew old—the House would be justified in throwing every obstacle in the way of the passing the Bill.

COLONEL NORTH thought it a great misfortune that this Bill could not be discussed free from anything of a party character. The Committee had been told that an exchange would be allowed in the case of an officer who came home from India in ill-health, and underwent the scrutiny of two medical boards; but the object of exchange was to obviate that, by preventing a man being compelled to remain in a country when he found that his constitution was breaking. He had seen in *The Times* a statement to the effect that, although promotion in the Army was bought and sold at market price, yet officers repudiated purchase upon their oaths and honours; and he wished to know from the right hon. Gentleman the Secretary of State for War whether officers were ever called upon to make any such statement? In 1822 there was a declaration to that effect; but it had since disappeared from the regulations, and he denied that there was now any such declaration required from an officer who purchased a commission.

COLONEL ANSON said, he should like to know whether the right hon. Gentleman had known any instance of injury to the public service in consequence of money passing on account of exchanges?

VISCOUNT ROYSTON said, he should like to know how the Government could possibly prevent exchanges for money—how they could prevent private parties from entering into a private contract. Since the amalgamation of the Indian Army, the flow from this country to India had been greater than heretofore. An officer going to India required some compensation, and he wished to know how the Government could prevent exchanges for money? There were many ways in which the regulation could be avoided; for instance, by putting fancy prices on horses sold by the one officer to the other. He had no wish to throw any obstruction in the way of the measures of the Government, but from the course which they had taken they deserved to encounter every species of obstruction, for they had not treated the House or the country with common courtesy.

MR. CARDWELL, in reply to the question which had been put to him by the hon. and gallant Member for Oxfordshire (Colonel North), said that no declaration was required to be taken as to the payment of money in cases of exchange, because, in spite of the stringency of the words of the declaration, it had been found entirely ineffectual. In reply to the hon. and gallant Member for Bewdley (Colonel Anson) he had to state that the Government did not object to exchanges, but they objected to a special provision for the benefit, not of non-commissioned officers, not of poor officers, but of one man, and one man only, and that was the rich and not the poor officer. When hon. Gentlemen opposite referred to payments made in the Church, they ought not to forget that the law of the Church prohibited such payments, and that it was simony in the Church to do what they wanted to legalize in the Army. Moreover, he thought the House would think it was far from being an ornament to the system. What would the Admiralty think if it were proposed to allow the captain of a ship, in the event of his health failing, to buy the right of exchanging with the captain of some other ship? He did not believe that he had ever stated payments for exchanges to be immoral; but, as the law stood, it prohibited what it was now sought to legalize. In no other service which was supported by public pay, was there also private pecuniary interests. He trusted the House would adhere to the decision to which it came the other night, and say that it was not prepared to sanction the payment of money upon exchange, but that it was prepared to sanction such exchanges as were good in themselves.

Viscount **ROYSTON** said, he must complain that the right hon. Gentleman had not answered the question which had been put to him—How was the Government to prevent the payment of money on exchange by the passing of this Bill?

Sir **JOHN PAKINGTON** said, he must also complain that the right hon. Gentleman had not answered the question put by the noble Lord the Member for Cambridgeshire. He deeply lamented the course which had been taken by the Government with regard to the Bill. They seemed to be resolved on irritating the feelings of the officers of the Army, and he (Sir John Pakington) considered it most offensive to attempt to prevent those exchanges which tended to promote the comfort of individuals without at all injuring the public service. The right hon. Gentleman had complained of the protracted discussions on this question, but these discussions would be still more protracted; and the right hon. Gentleman would have to make up his mind to them, unless he complied with the reasonable and fair demands which had been made to him, that he should show frankly and fully what were the reasons which led him to follow the course he now pursued. He hoped that this Amendment would be pressed, and he should give it his cordial support. The Government must expect very protracted discussions unless they showed more respect for the House of Commons than they had yet done, for he did not shrink from making the avowal that, in his opinion, the Government were treating the House of Commons without that respect which was due to them, so long as they withheld reasonable explanations on three or four points connected with a Bill which made such important and extensive changes in the constitution of the Army.

Mr. **BROMLEY DAVENPORT** said, that no expression of opinion on this Bill had yet reached Parliament from the country, therefore the right hon. Gentleman the Secretary of State for War was not entiled to be satisfied with the reception the Bill had met with; and he hardly thought it would receive very warm support from the nation when they knew that they would have to pay a great deal more than they did at present for a plan which would not add one gun, or a single soldier, or anything effective to the Army, but which would simply do away with a system which up to the present time had worked admirably.

Mr. **J. LOWTHER**, in reply to the question of the right hon. Gentleman (Mr. Cardwell), what would be thought in the Navy of the transfer of a captain from a healthy to an unhealthy station, said, such matters were arranged by favour and by influence. On what basis would promotion by selection in the Army be founded?

Lord **ELCHO** said, he would challenge the Government to say whether they were so satisfied with the reception of the Bill that, if defeated, they would appeal to the country. He was convinced that they would not dare to do so. Happily the Bill was so framed that almost every line raised the question of purchase, which was not one of sublimated morality, but simply what was good for the service. That was the way it had seen put by the hon. and gallant Member for Truro, who knew as much of the service as anyone. He (Lord Elcho) would reply to the "poor man's argument" of the right hon. Gentleman the Secretary of State for War, by supposing a case in which a man of weak health, with a family, escaped going out to India by paying money to a poor man, unmarried and in good health; and he would ask whether such an arrangement was not advantageous to the public service and beneficial in all respects to the parties concerned? He would also ask that right hon. Gentleman whether he was aware that adjutancies in the Reserve forces were sold for as much as £2,000, and would appeal to the hon. Baronet the Member for Buckingham (Sir Harry Verney) to explain how it was that the system of exchanges, which had prevailed so long in the Army, could be, as he said, absolutely fatal to its interests?

SIR LAWRENCE PALK remarked that hitherto the debate had only taken one turn—namely, with regard to the interests of the officers of the Army as against the wishes of the Government. There was a far greater question behind—namely, the interests of the people and of the ratepayers and taxpayers of the country. The reason why arguments were reiterated night after night was because hon. Members were not in a position to tell their constituents what the schemes and plans and ulterior aims of the Government were. He would call upon the Government, if they really had a plan, to submit it. If they had none, then the measure was one of the most dangerous that could be presented, because it proposed to pull down everything which had served the country hitherto without devising even the commencement of a system to replace it. He maintained that the Government were not only bound to submit a plan, but to show the House that it was an economical one, and that it would be for the advantage of the country. For his own part he was prepared to remain in the House to oppose the Bill as long as any other Member would stay, until the House was placed in possession of the fullest information.

SIR HARRY VERNEY said, his answer to the question of the noble Lord the Member for Haddingtonshire (Lord Elcho) was, that if a young officer was worth his salt he would be charmed to go to India or anywhere else. The greater the danger the more delighted he would be to go.

MR. GILPIN said, that having neither spoken nor voted on this question, he wished, as an independet Member, to say a few words. Up to this time the course the discussion had taken was not what was good for the service, but what was best for the pecuniary advantage of the officers. Now, many officers of the Army were excellent men—he knew many of them as personal friends; but, for the good of the country, there were too many of them in that House, their personal interests being directly involved in this great national question, and he had not heard one of them get up and say in what manner these changes would act as regarded the interests of the non-commissioned officers and privates, whose interests appeared to be wholly overlooked. It had been asked how they were to prevent money being paid for exchanges. Well, how did they prevent the picking of pockets? By passing a law against it, and punishing those who broke that law. Then, what was wanted was, that Parliament should pass such law, and if it did he thought the gentlemen of England would not disobey it. He could not help thinking a very large expenditure was proposed for what there had not yet been shown adequate reason. He had not, therefore, been able to go into the same lobby with the Government; but when he heard the right hon. Baronet the Member for Droitwich (Sir John Pakington) and the noble Lord (Viscount Royston) avow what was very like a factious opposition, he thought the effect of such conduct must be to induce those who had not yet voted for the measure heartily to support it. He was for the abolition of purchase; but he believed his constituents would have wished some better reason to have been given why at this time, in this way, and at such cost, this change should be made.

MR. GREENE, like the hon. Member for Northampton (Mr. Gilpin), said, he had never troubled the House upon this question, and had no interest in the Army except the general desire they all had to see it really efficient; but, having watched the course of the discussion, he was prepared to say that the Government had failed to prove their case, and that they were needlessly endangering a system which had hitherto worked well in the country. Why had the Government brought forward the measure? If it was to afford the hon. Members for Ripon (Sir Henry Storks), Truro (Captain Vivian), and the Border Burghs (Mr. Trevelyan), an opportunity of distinguishing themselves, he would ask why those three hon. Members should be selected, and who else, in any important matter, would select them? He had talked with officers of the Army upon this question — ["Hear!"] — and he thought no men were more capable of giving an opinion than they were; and, although he had never heard them find fault with the manner in which the Government proposed to pay them, they one and all patriotically and conscientiously declared against the measure, because they believed it would be injurious to the service. He would say that nothing would have induced him to oppose the Government on a great question such as this, unless it was that his opinion of the merits of the course proposed was identical with that put forward by them. He had never condescended to make capital out of the poor man and the taxpayer, but he contended that this was a taxpayers' question, inasmuch as the country was being called upon to pay a large sum of money for a bad article. So far as he was personally concerned, he should use every means in his power to prevent the Bill from passing, in order that the country might have an opportunity of considering it. He should be sorry to see the Government out of office; but, if they thought the country was with them on this question, they were wofully mistaken. England did not desire to be a military nation. They were a commercial people, who could afford to pay for a good standing Army, officered as it had hitherto been: and that pointed to the direction in which legislation should tend.

THE CHAIRMAN rose to call attention to the words of the Amendment, and observed that many of the speeches that had been delivered had wandered away from the subject.

COLONEL STUART KNOX said, that the right hon. Gentleman the Secretary of State for War misled the House when he stated that the opponents of the Bill proposed to legalize exchanges; all they asked was to have the question of exchanges omitted from the Bill.

SIR GEORGE JENKINSON, in reply, denied the accuracy of the statement made by the right hon. Gentleman the Secretary of State for War, that the Amendment under consideration was solely in favour of the rich officer.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 168; Noes 211: Majority 43.

Question again proposed, "That Clause 2 stand part of the Bill."

LORD GARLIES said, he was aware that, in proposing the Amendment of which he had given Notice, he was leading a forlorn hope; but he should not be deterred on that account from discharging what he believed to be a duty. His desire was to challenge the abolition of purchase. Having spent 15 years in Her Majesty's Service, one-third of which time he had passed on the Staff of the Army, he had enjoyed unusual opportunities of ascertaining the feeling not only of officers, but of the non-commissioned officers and rank and file; and he believed that, if the Army were polled to-morrow, 95 per cent of the officers and 99 per cent of the non-commissioned officers and the rank and file would be in favour of retaining the present system. ["Hear, hear!"] Notwithstanding the derisive taunts of the right hon. Gentleman the Secretary for War, who seemed to doubt whether any genuine love of economy existed on the Opposition side of the House, he declared that he objected to this clause on the one ground of expense to the British taxpayer. Two reasons alone had been given in favour of abolishing purchase: one was, that it was necessary for the amalgamation of the Regular and Auxiliary forces; he could not, however, see that the existence of purchase had anything to do with such an amalgamation. He came, in the next place, to a more serious reason, which was urged by the Government in favour of the abolition of purchase, and he had, he must say, listened with great regret to the terms in which the British officer had been spoken of by two right hon. Gentlemen on the Treasury bench. When, he should like to know from them, had the British officer ever failed in his duty? When had he failed in pluck, in obedience, or in endurance? When had he failed in securing the confidence of those under his charge? Never; and, therefore, to allude to our officers in language calculated to lead the House and the country to suppose that they were incompetent was unworthy of any Member of the Government. It was not the fact, as the right hon. Gentleman the Secretary for War had insinuated, that they made their profession a mere amusement; and hundreds of letters could, he had no doubt, be procured from officers equally distinguished as Colonel Cameron—whose authority had been quoted by the right hon. and gallant Gentleman the Surveyor General of the Ordnance, on the second reading of the Bill, to show that their profession was regarded by the junior officers as a bore—taking an entirely contrary view. As one who had served consecutively three years at Aldershot, and had seen every branch of the service, he (Lord Garlies), at all events, must contend that the impression which the right hon. and gallant Gentleman sought, in that respect, to convey to the House was entirely erroneous, and it appeared to him rather hard that the British officer should be spoken of in that way. The right hon. and gallant Gentleman, in reading Colonel Cameron's letter, and then rendering such a tribute as he had done to the officers of the Army, seemed to have pursued that course for the purpose of turning the letter into utter contempt. It should be noticed, in passing, that during these debates not a word had been said on the subject of giving commissions to non-commissioned officers, which was one of the points upon which the hon. Member for the Border Burghs (Mr. Trevelyan) had previously laid much stress. It had been declared that the Government regarded selection as a necessary adjunct to the abolition of purchase; that something had been said of "seniority tempered by selection." Now, this latter system had been pursued to a large extent for at least 15 years in the Army; and therefore it was all moonshine for the Government to put forward their proposition as a novelty. Upon the second reading, the right hon. and gallant Gentleman announced that as far as the rank of captain the system of regimental promotion would be applied; and that above that rank there would be what he called "Army promotion." He had never, however, explained what he meant by that, though it was probable that after an officer became a captain, he was eligible to be promoted to any other regiment. If that was a true interpretation, the right hon. and gallant Gentleman had evidently since the time when he made that statement modified his ideas; and it was a matter of happy augury that he was beginning to see that such changes did not tend towards the good of the service. He (Lord Garlies) must express his gratification at finding that the right hon. and gallant Gentleman had given up the notion of sheer selection. Then, the conduct of the Government with reference to the cost of the retirement scheme had been more remarkable than anything that had ever occurred in the annals of the British Parliament. In 1868, the present Financial Secretary to the War Department (Captain Vivian), being then untrammelled by office, went fully into the details of the subject, and, supported by the authority of Mr. O'Dowd, assured the House that, in addition to the expense of the immediate abolition of purchase, an annual outlay of £1,000,000 would be incurred; he thought, therefore, it would have been far better had the hon. and gallant Gentleman stated that he had seen reason to change his opinion instead of taking the course he had adopted of declaring, after attaining to the dignified office of Minister of Military Finance, that he had no opinion whatever upon the subject. The right hon. and gallant Gentleman the Surveyor General of the Ordnance had told the House that this Bill pretended to do nothing further than to lay down great principles; and added that it was impossible for the Government to submit schemes for organization and retirement until the Bill had passed; yet the Government, while admitting that this Bill would not be sufficient in itself, refused to give any information as to the scheme by which it must be supplemented. About a fortnight ago, at a late hour of the evening, after one or two Adjournments of the House had been moved unsuccessfully, an hon. Member remarked that if the Government would state what the cost of their scheme would be, opposition of that kind would cease. Thereupon the right hon. Gentleman the Prime Minister made what was a most remarkable declaration, when it was remembered what the right hon. Gentleman the Secretary for War had already said on the subject. The Prime Minister observed that the cost of retirement was not a matter of fact, but a matter of opinion; and then he went on to say that he had an opinion of the cost, and that the Secretary of State for War also had an opinion as to the cost of a retirement scheme. It would not do for the Government to plead ignorance after such an announcement; and the only conclusion he could come to was that the Surveyor General of the Ordnance had imparted his secret to the Prime Minister, who had thought well to keep it from the Secretary of State. That was the only way in which he could account for the Secretary for War having declared that he had no opinion on the matter. Two nights before the production of the first Budget he (Lord Garlies), in addressing the House, expressed his conviction that the cost of the abolition of purchase, together with a retirement scheme, would amount to £1,200,000 a-year, and it was a remarkable fact that the right hon. Gentleman the Chancellor of the Exchequer afterwards named precisely the same sum—thus confirming his computation. When the Estimates were before the House the Government asked them to pass the Estimates and reserve their remarks on causes of expenditure; but the moment an examination of this Bill was commenced they were asked—"What is the good of discussing a measure when you have already voted the money and the men?" He held that it was the duty of hon. Members to discuss the question fully. The cost of retirement in the artillery would supply the Government with a basis for a calculation as to the expense of their scheme; and he trusted that they would, in common decency, give the House some information on the point. He would wish to remind the House that the right hon. Member for Morpeth (Sir George Grey) had already stated that the evidence taken by the Commission appointed to inquire into the working of the purchase system, of which he was Chairman, went to prove that if purchase were abolished to-day, it would revive to-morrow. He emphatically denied that the country wished for the proposed change, for what the country wanted was that there should be good means of transport and supply for the Regular Army, and better military instruction for the Auxiliary forces. Those excellent institutions, the schools of instruction at the different barracks, were a step in the right direction, and he thanked the Government for providing them. He thought this Bill showed a desire to pander to the lamentable credulity and expensive superstition of the hon. Member for the Border Burghs. In addressing his constituents, the hon. Member, so far from telling them that this would be an expensive change, actually tried to show, by extraordinary figures of his own, that in the end it would be a saving to the country. At present the people of this country were apathetic upon this subject, because they did not understand the Bill; and until they did understand what such a measure involved, hon. Members opposed to its provisions might endeavour in vain to convince them that a Government, acceding to office on principles of economy and retrenchment could so far have deceived them as to bring in a Bill which did nothing towards strengthening the bulwarks of the country, but simply involved an enormous cost to the nation, without securing any equivalent. Speaking on behalf of many hon. Members on that side of the House he maintained that in opposing the Bill they were actuated by no factious motive, but purely from a strong sense of duty to their constituents, who objected to being taxed in this ridiculous and extravagant manner. Prompted by this feeling, they were determined, though unfortunately in a minority, to oppose the Bill clause by clause. He had no hesitation in saying that, leaving party feeling out of the question, if the true conviction of every hon. Member were obtained, such would be the weight of testimony against the whole measure, that the Army Regulation Bill would find a resting-place in purgatory.

Mr. WHALLEY said, he was determined to aid hon. Members on either side of the House in offering every practicable opposition to the Bill. When the hon. Member for the Border Burghs (Mr. Trevelyan) became eloquent on the abolition of purchase, he (Mr. Whalley), for one, was carried away with his arguments; but now that he had considered the subject, he was appalled at the cost such a proceeding would involve. Objecting altogether to a standing Army as mercenary and panic-creating and expensive, he recalled the attention of the House to "first principles" on the subject, quoting from former Mutiny Acts, in which three reasons were stated for the maintenance of a standing Army—namely, "For the defence of our shores, for the defence of our colonial possessions, and for the balance of power in Europe." He would proceed to consider those reasons, when

THE CHAIRMAN ruled that the hon. Member was out of Order in not approaching the question before the Committee.

MR. WHALLEY said, he had the question in his mind.

THE CHAIRMAN invited the hon. Member to bring it before the mind of the Committee.

MR. WHALLEY went on to say that the only reason he had heard in support of this costly scheme of retirement was that it afforded the means of placing the Army on an efficient footing; and what he wished to show was that a standing Army was really a source of weakness, not of strength, and that it ought to be done away with. In Switzerland, a man of 21 found himself thoroughly qualified to act as a soldier and defend his country; and this state of things was brought about by the system of education in use in the schools there, and it was the most valuable part of their school education. Why should not England adopt a like system? ["Question."] It was the question, for the question related to the standing Army.

MR. CANDLISH: No; the question was, whether England, having a standing Army, should abolish the system of purchase? What had the state of education in Switzerland to do with the question before the House?

THE CHAIRMAN: The question is, whether the clause relating to the sale of commissions should stand part of the Bill? I have already desired the hon. Member to confine himself as much as he can to the subject before the Committee.

MR. WHALLEY proceeded with his remarks. He had travelled in Germany, and although he found that something like conscription prevailed, the system of education was nearly that of Switzerland. He might say the same thing with regard to the Channel Islands. The results of the purchase system were obvious to any hon. Gentleman who had ever followed the career of an officer in the Army. A young gentleman entered the Army, and for four or five years, the novelty having passed off, the acquisition of a knowledge of military habits occupied his mind. He then endeavoured to relieve himself of the habits he had acquired of laborious idleness. Other young men desired to go through the like curriculum, and what was more natural than for those who had purchased their position in the Army—the pay for which formed only the interest of their capital invested in the purchase of their commissions—to desire to receive back that capital? Gentlemen who had spent thousands of pounds wished to receive their money back. Why should they not receive it from their successors? What was the indirect result of these gentlemen entering the Army? Having nothing to do—and the country desired that they should have nothing to do—they had nevertheless acquired an education which would serve their country in the event of danger, and which gave them an enlightened patriotism much to the advantage of the country, and they would save the country the expense and danger of an entirely professional Army. He intended to offer every opposition in his power, both directly and indirectly, to the passing of the Bill.

MR. WHEELHOUSE said, he was extremely glad that the issue was raised upon this clause, because it involved a question to which they were bound to give their best attention. He was no soldier, and he knew nothing about the Army; but, nevertheless, the question before them was one which came fully home to his mind as the representative of a large tax-paying community, and he wanted to find out, if possible, what was to be the cost which his constituents, in common with all the other constituencies of the country, would have to pay for the enactment of this measure. They had been told that they must prepare for the payment of £600,000, which would be asked for at once; and in the next year for double that amount—namely £1,200,000; and a permanent annual sum of £1,000,000 additional for many years afterwards. Now, he hoped that the Committee, before assenting to this large expenditure, would insist upon ascertaining the *quid pro quo.* Was it shown that the Army at present was inefficient and worked badly? As far as he was capable of understanding the matter, it appeared to him that the best military authorities had shown that, for the number of the forces, our Army, so far as its officers were concerned, was as effective as it was possible for it to be. In the year 1840 a Commission on Naval and Military Promotion, of which the Duke of Wellington, and other distinguished men were members, reported that the practical advantages of the purchase system had been proved by its effects during 24 years of peace. But 24 years of peace were really nothing—the system had existed for two centuries, as he was told; and was it to be said that a system which had worked well for so long a time was to be abolished at an enormous, an unknown, nay, he might almost venture to say an unfathomable cost to the taxpayers of the country? The Commission of 1870 reported that—

> "Experience had shown that the most complete prohibition and the most stringent regulations had utterly failed to prevent, or even check, the practice of paying over-regulation prices."

Could the country, then, expect that it would be checked in future? Unless that could be effected, it would be useless to impose upon the taxpayers of this country the large expenditure which was contemplated by this Bill. It might be said that civilians could know very little about the bearings of this question; but if hon. Members would go among the large constituencies of the North of England, and tell them that the Government scheme would cost £600,000 this year, £1,200,000 next year, and after that £1,000,000 per annum for years hereafter, there would be an immediate demand to know for what purpose the taxpayers were asked to make so large an outlay. Could the abolition of the purchase system affect the wage-earning class of the population whose sons did not become officers? To men of that position taxpaying had become almost intolerable, and they would not desire the abolition of purchase at the cost which would be involved by this Bill. Moreover, the Government had thought it necessary to propose to deal with the incidence of local ratepaying, yet they also introduced this measure, which would involve taxation without limit. The whole system of retirement, an indispensable requisite connected with it, had not been placed before the House because the Government feared if that were disclosed the country would be so appalled that the Bill must be rejected. The Government had been asked whether they dared to go to the country upon this Bill; but whether they would or would not, the nation ought not to be saddled with an unknown expenditure. There need be no hurry to abolish the purchase system, which had lasted a century or longer; and it would be much more satisfactory if the Government took time to consider the details of the question and let the people become thoroughly cognizant of the subject. Instead of gentlemen going through the country and addressing meetings of persons who knew nothing of the matter except that which was there told them, the Government ought to let the country know every phase in which this subject could be presented. The wage and salary-earning classes ought not to be taxed to an unreasonable amount because it was desired to interfere with a system of which they had made no manifest complaint, and by the abolition of which they could not be benefited. Should purchase be abolished, as proposed, he thought a dead stop would be put to promotion, as an old officer would not, under the new system, be got to retire as at present, and the Army, in place of a younger officer, might thereby be compelled to put up with an officer utterly inefficient. When hon. Members knew thoroughly the scheme of retirement and its cost they would be prepared to legislate; but until then they ought not to be asked to vote in the dark on such a momentous question. He would venture to hope then, for these reasons, that the 2nd clause would be omitted from the Bill.

Mr. R. N. FOWLER remarked that this 2nd clause involved the whole principle of the Bill, its object being the abolition of purchase. In its place there might be adopted either a system of seniority or a system of selection; but the result of a system of pure seniority would be to hand over the command of the Army to men physically incapable of going through the fatigue and labour involved, and selection resolved itself into a system of political jobbery; and though he was not insensible to the theoretical objections to purchase, yet he was not prepared to substitute for it a system which would hand the

Army over to the tender mercies of party. For instance, an officer who had never seen a shot fired in anger might obtain promotion if he were recommended to the Secretary of State for War by a supporter of the Government, while the claims of other officers who had bled for their country would be overlooked if they were recommended by hon. Gentlemen on the Opposition side of the House. Election agents said of his right hon. Friend the Member for Droitwich (Sir John Pakington) that when he was in office he never did anything for his party, and surely this conduct was highly honourable to him. In like manner the present Secretary of State for War would doubtless act in the most impartial manner, but the right hon. Gentleman might not continue to be connected with the Department for many years, and his successor might deem it his duty so to bestow the patronage of the Army as to promote the interests of the party to which he belonged. Another serious objection to the Bill was that it proposed, in obedience to an ignorant popular clamour, to abolish the regimental system, the one part of our military organization which had never broken down. It was a significant fact that the Bill had not received any independent support from military Members of the House—those Members who were professionally able to give an opinion upon it; and even on the Liberal side of the House the Bill had not received any approval whatever, except from the Treasury bench, while several gallant Gentlemen opposite had strongly opposed it. He would refer to a very distinguised officer—his hon. and gallant Friend the Member for West Gloucestershire (Colonel Kingscote)—whom he regarded as the model of an officer and a country gentleman, and he had voted against the Government. Knowing his hon. and gallant Friend's attachment to the party of which he was an ornament, he felt that his course was a strong censure on the Bill. It was the duty therefore of every hon. Member to consider whether he would be justified to the country in sanctioning a Bill that would lead to such an enormous expense. The question ought to be distinctly put to the constituencies at a General Election.

Colonel C. H. **LINDSAY** said, the right hon. Gentleman the Secretary of State for War was no doubt anxious that this clause should be allowed to pass without any further discussion, on the ground that everything had been said that could be said on this side of the House. It was natural that he should have arrived at that conclusion after the apparently exhaustive debates that had taken place on both sides of the House, all of which, with two or three exceptions, had been condemnatory of the Bill; but he forgot that there was a good deal more to be said—namely, by himself, which he had not yet told them, before a subject which involved such grave issues could be very well dropped: and as the tide had not yet turned, he might prepare himself for many an echo of these debates, before our death struggle was at hand, unless he replied to the various questions that had been put to him, as to the plan and cost of his scheme for re-organizing the Army. He would wish to ask the right hon. Gentleman if he had ever paid a visit to that beautiful spot of earth—the Eagle's Nest of Killarney? If he had, no doubt he witnessed the explosion of a cannon, the sound of which was repeated 10 times over, on the principle of the echo; and he must also have witnessed another effect at another spot, which was of quite a different character, and supposed to be rather curious: it was a question which was asked by the guide, and it was this—"Paddy, how are you?" And what was the echo? A reply of a most exhaustive and conclusive character—namely, "Very well, thank you." What was the consequence?—the echo died, and there was an end of the matter, for the question was fully answered. But if they applied that case to their own, how different was the result. Question after question had been put to the Government; but no reply—no echo of a responsive character, for there had been none at all; under which circumstances they had nothing to do but to re-echo their arguments until the answers were given. Now, the more one reflected upon the position into which the Government had led the House upon this question, the greater was the mist which appeared to be surrounding the future welfare of the British Army; and no matter what line one might take, or what arguments were employed, all was darkness and confusion. There had been a positive bouquet of Amendments and debates upon this vexed question, and they had not yet disposed of the 2nd clause of the Bill; and it was not to be wondered at, considering the difficulty they had in arriving—if they ever did so—at the object they had in view, before they made any satisfactory progress—namely, the plan of the Government, which was to involve so great a cost. The first Amendment was on the second reading, proposed by his hon. and gallant Relative the Member for Berkshire, in direct opposition to the abolition of purchase; the next was proposed by his hon. and gallant Friend the Member for Bewdley (Colonel Anson), upon going into Committee, and upon the assumption that purchase was doomed, which suggested a compromise between the officers and the State; and the next was by the hon. Member for Birmingham (Mr. Muntz) upon a similar assumption, which also suggested a compromise which was framed upon a more economical basis than that of the Government, and it did not disturb the regimental system. The first of these Amendments was, as they knew, negatived without a division, and the second reading passed in protesting silence; but the next two were defeated by the majority opposite. He voted for them, and in doing so he by no means pledged himself to the principle of the abolition of purchase; but he considered a bird in the hand was worth two in the bush, and because he believed that the officers of the Army were satisfied with that compromise. The Government peg seemed to be firmly fixed in the network of reticence, and it would be almost impossible to extract it in order to insure satisfactory progress. That clause had been somewhat severely handled, owing to the Amendments and their consequent debates which had been attached to it, and the Government still declined to accept any compromise or any alteration in its scheme, or to turn to the right or left of the groove into which it had placed itself, so that they would have the same grim spectre crossing their path at every turn—namely, an undue expenditure of public money upon a War Office crotchet which, if ever the Bill became law, would create an inconvenient excrescence, and be no benefit to any interest whatever. Now, the second Amendment of the hon. and gallant Member for Bewdley, which had reference to this particular case, spoke for itself, based as it was upon every principle of justice—in favour of the officers of the Army—whose lives were surely as valuable to themselves and to their families as hon. Members' own, and who were called upon to serve in every climate under the sun—being allowed to continue the system of exchange from one regiment to another for various reasons, but especially on the score of ill-health or an unsuitable climate. Well, it was refused by the right hon. Gentleman the Secretary of State for War, who said that it struck at the principle of abolition of purchase—an argument which everyone who had served in the Army knew perfectly well could have nothing to do with the buying and selling of commissions, and should at once be dismissed. It was also objected to by the right hon. and gallant Gentleman the Surveyor General, who suggested another loop-hole—namely, that officers whose health was impaired by climate could go on temporary half-pay, and who, on restoration to health, would be replaced on full-pay when opportunities offered. Now, that seemed a most disheartening arrangement, for the Government would not allow exchanges to be continued on the existing system, but it would allow them on its own new system, whatever that might be, and yet it did not tell them what that would be, and it obliged an officer, who might be a senior of his rank as a company officer, and who might have done good service to his country, to go on half-pay for an indefinite period, after he had been invalided home and required time to recover his health, which might not have become so broken had he been allowed to make his own arrangements to exchange into a regiment stationed in a more congenial climate; it obliged him to go on half-pay, by which means he would lose his Army position as well as a considerable portion of his pay at the very time, perhaps, when it would be of consequence to him to pay his doctor's bill; whereas he could on the present and well-understood system exchange into another regiment without loss of pay or Army position. Considerable argument had been devoted to this subject. The right hon. Gentleman the Secretary of State for War declined, as usual, to explain his intentions, for upon the hon. and gallant Gentleman the Member for

Oxfordshire (Colonel North) asking how exchanges were to be effected without the passing of money, he said "He should not take up the time of the Committee by quoting from the papers which lay before him upon that point," although he owned that he had the plan before him; and when the noble Lord the Member for West Essex (Lord Eustace Cecil) pressed him to say what he meant, he replied that "he had made it clear that exchanges would not be prohibited, but that the passing of money for exchanges would be," and there he left it, as usual, in the densest fog, for the Surveyor General to tell us that although exchanges would not be prohibited, they would virtually be abolished, for it came to that, because he said that temporary half-pay would no doubt be the solution of the problem, which proved, beyond doubt, though he took care not to say so, that such cases as ill-health-vacancies would be met by temporary half-pay, after a certain lapse of time, in order to carry out the scheme of selection, and below the rank of field officer. In short, they were not likely to make any progress that would be satisfactory to the Government, unless the necessary information on that and many other points was given to the Committee. The Bill would, doubtless, advance; but it would be by slow degrees—it would be at funeral pace—and upon the principle of progression by considerable and determined antagonism; because although the power of resistance might be that of a minority, it was obstinate and prolonged, and able to cope with the high pressure that was against it, and without infringing upon the forms of the House. They had a duty to perform in obedience to the sentiments of their constituents, and that was to do their best to check extravagant and useless expenditure, such as was involved in that measure; and they would not be justified in endorsing such a scheme of the Government of which the plans were refused to them. They were just as responsible to those who sent them there, as hon. Members opposite who supported the Government as to how public money was to be spent, if they did not record their protest in every shape and form against such reckless, uncalled-for, and unprofitable expenditure. The gauntlet was thrown at the feet of the right hon. Gentleman the other evening by the noble Lord the Member for Haddingtonshire (Lord Elcho), and there it lay for seven or eight hours; but he had not the courage to take it up and fling it back again, with the information that had been so continually asked for and demanded, and the consequence was they were as wise now as ignorance would allow them to be. It should not be a party question; it was essentially an Imperial question; but the refusal on the part of the Government to communicate the necessary information upon so important a subject, and one which was to cost the country millions of money, had unhappily converted what ought to have been "co-operation" into an opposition of an unlimited character. Such being the case, let not the Government and its majority appeal to the generosity of the minority, which it had treated with a disregard which was scarcely warranted. It was therefore time that the country should rouse itself from its apparent apathy or ignorance, he knew not which, and study its own interests more than it did, which, in this instance, meant nothing more or less than its pocket. He asked—what were the various constituencies throughout the country about who were taxpayers, what were they about? Did they not know the privilege which they possessed as electors? Did they think that the only duties they had to perform were to be canvassed, and to vote at General Elections? If not, it was high time that they should feel their helm, and ask their representatives if this extraordinary expenditure was necessary, for it was not only an officer's question, but a financial one of considerable gravity. What were the gentlemen of the United Kingdom about? The great landed proprietors and merchant princes, who had responsibilities and obligations attached to their possessions, were they land, or were they gold? What were the leading tradesmen, the inhabitants, the electors, and working classes of the boroughs about that they did not awake from their lethargy and consult with their representatives, who were supporting, in ignorance, that extravagant policy of the Government? Why did they not ask them a few simple questions upon a matter which so especially concerned their interests?—men who were living by the sweat of their brow, living from hand to mouth, and whose families were mainly dependent upon their ability to labour and to earn for their wives and little ones, and who could ill-afford to have their hard-earned purses, as it were, filched, in order to satisfy the capricious policy of the Government upon a question which, if carried, would entail additional and unnecessary burdens upon those electors who were a large portion of the taxpaying and working classes. It was all very well to have what was called confidence in this or that Government; it was nothing more or less than any other fashion of the day, which came in and went out, had its innings, and when its health was declining was kicked to death by those who had once fondled and cherished it, as a child would a new toy, but which it broke with as little concern as the Government were bent upon destroying the prestige of the British Army. But, whether the constituencies had confidence or not, it was scarcely incumbent upon them to consult their representatives, and ask such simple, straightforward, and such as justified questions — How many millions were really to be saddled upon the taxpayers for the purpose of abolishing purchase in the Army, and providing for a scheme of retirement, which must cost several millions more? In what way would the extra tax, which was to be imposed consequent upon those two issues, benefit them, and in what way would it benefit the country? In what way would this extra burden improve the high tone and quality and efficiency of the officers of the British Army? Was it any concern of the taxpayers whether the officers of the Army bought and sold their commissions which the Government was calling upon them to buy up at the highest price whether they wished to do so or not? Let those questions be asked and answered in the same spirit; let the Whitsuntide holidays, which were fast approaching, be devoted to that business. [*Murmurs of dissent.*] Yes, he knew what those expressions meant, he knew where the shoe would pinch. Let the Whitsuntide holidays be given up to such business, and if the constituencies could not get more satisfactory answers than hon. Members on that side of the House were able to extract, let them do their duty, and express their disapproval of so reckless, so useless, and so unjust a policy. Reckless, because it was not required by the taxpayers; useless, because it could benefit no interest; and unjust, because it would impose a severe burden upon the working classes, without conferring the slightest benefit upon them. The electors of the United Kingdom were free agents; but if they were ready and willing, after they had asked for information, to follow in the track of this dangerous policy, the responsibility must lie with them and their party, and not with hon. Members on this side of the House, who had strenuously opposed it. The only semblance that they had had of a statement in reference to the scheme of retirement and selection plainly showed that the right hon. Gentleman had got none, which made matters worse, for what did he say the other evening? He said that—

> "The mode in which security is to be afforded to the Army for the impartiality and fairness of promotion is still being carefully considered by some of the most eminent officers of the Army,"—

which meant that those eminent officers, whoever they might be, had not yet completed their researches, or made their Report. Then why not wait until their duties were completed, and their Report laid on the Table of the House? He confessed he was sorry to hear from the hon. and gallant Member for Truro (Captain Vivian) that one of the objects of the Bill was to facilitate promotions from the ranks. Now, what did that mean, but simply to democratize the officer machinery of the Army—to throw open the commissions to a class of men who really preferred their own social sphere, which was naturally more acceptable to them and their comrades, who were the private soldiers, than to be raised above that sphere to another with which they had nothing in common, and which placed them in a false position and with no prospective advantage, such as at present existed, when they retired from the service. Nothing would tend to damage the prestige and *esprit de corps* more than such a system, and it would therefore tend to loosen that important bond of union, the existence of which was so necessary between officers and men. He would not detain the Committee any longer; but before he sat down he hoped that hon. Members who were against this portion of the Bill would not hesitate to vote for any Amendment which the Government opposed. He intended to support the noble Lord (Lord

Garlies), for the reasons which he had given, for moving the rejection of a clause which, if passed, would put another nail into the coffin of the purchase system, for it would introduce another system of political Army patronage, it would alter the conditions of regimental promotion, and it would therefore destroy the *morale* of an Army, which had not only never failed to do its duty, but had proved itself to be twice as good for its size as any other Army in the world, a fact which was mainly attributable to three important attributes — namely, English bravery, unfailing discipline, and regimental system—neither of which could avail without the co-operation of the other. The bravery and discipline would, of course, remain; but if that measure became law they would be widowed and deserted, and rendered comparatively ineffective, by the destruction and removal of their hitherto closest and most devoted companion—regimental system.

Mr. ASSHETON CROSS said, there were two questions with which they had to deal—whether purchase should be abolished, and how the money was to be provided for it; and it was with the last question that he, representing a very large constituency, wished particularly to deal. In order to gain that point he would ask three plain questions, to which he wanted three plain answers. Should the Government by some chance be beaten and go to the country, he had not the smallest doubt the constituencies would consider the answers given to his questions. The first question was, what was the cost of the whole measure? His second question was, when was that cost to be paid for—in one year or in a long series of years? The third question was, who was to pay the money? With regard to the cost, he was aware that a sort of estimate had been placed before the House that the cost would be from £8,000,000 to £10,000,000. He supposed that on a question of this kind they were not to be particular as to a million or two, though he recollected that the county he represented was some time ago visited by the present Prime Minister, who made the question of one or two millions of money almost a matter of impeachment against the party then in office, whom he was anxious to supplant. Allowing that for £8,000,000 or £10,000,000 the present officers of the Army might be bought out, then he wanted to know what would be the future expense of the Army when the new scheme should be established. How much would it cost to maintain the Staff of officers for 100,000 men under the new system, as compared with the existing system? He felt sure that if the Government would only give a plain and satisfactory answer to that question the opposition to the Bill would cease. They were told that in the present year £600,000 would be wanted, and £1,200,000 in the next; and everyone who knew anything about figures must be aware that these figures might mean a great deal more. Was the expense to go on increasing by arithmetical or geometrical progression, for the Government had as yet given the vaguest possible notion of what the cost would be? The next question was, when the money was to be paid? As the proposal of the Government affected the interests of the country not merely for the present, but for the future, he asked whether the money was to be paid in one or two years, or whether the payment was to be spread over a series of years—over 20 or 30 years, for instance—so that the burden on the present generation might be lightened? His third question was a very important one, and it was, who was to pay the cost of the new scheme? The late Secretary of the Treasury (Mr. Stansfeld), in a speech delivered some time ago, said that the House must not expect any great reduction in the Civil Service Estimates, and that the only part of the expenditure which the House could look to for the purpose of making reductions was the Army and Navy Estimates, adding, at the same time, that no one could quarrel with the Navy Estimates for the present year; moreover, the right hon. Gentleman said that the Army Estimates constituted the head and front of the offence. Under these circumstances it was natural to suppose that, if they wanted to obtain money by a reduction of Estimates, it was only by cutting down the Army Estimates that they could obtain the money required for paying the cost of the Army Regulation scheme. The matter then came to this—that the re-organization of the Army was to be paid for by the reduction of the Army; or, in other words, the improvement of the Army was to be paid for by the Chancellor of the Exchequer out of the impoverishment of the Army. He now came to a still more important matter. They had been told by the same right hon. Gentleman that they ought to consider well before they took off any indirect taxation, because when once taken off it could not be put on again. The result of that statement was this—that for any transitional expenditure the only possible resource they had to fall back upon was the income tax or the suspension of the operation for the reduction of the National Debt. But against this latter course the House had decided, and the consequence was that the whole of this transitional expenditure would fall upon the income tax payers, the one class in the community who could the least afford to pay it. If, therefore, they went to an election and this were known—and for his part he wished they might go to an election, the sooner, indeed, the better, for he was convinced that the Government and the country were not at one on this subject—he believed that the nation would decide that a more unjust, a more unwise, and a more impolitic measure could not well be devised. He believed that the nation would decide that the abolition of purchase, if of value at all, was only so because it tended to the good of the whole nation, in which case the cost ought to be defrayed by the whole of the community, instead of by one portion only—namely, the income tax payers.

MR. SEELY (*Nottingham*) said, that, whether the expenditure contemplated were £8,000,000 or £10,000,000 was not for the present material; it was, no doubt, so large that it was the bounden duty of every hon. Member of that House to see that in spending the money, they obtained for the nation the full value of that expenditure. The arguments urged by the Government in favour of the measure were these—that this expenditure would result in three changes beneficial to the Army—more scientific officers, promotion by selection, and the power of transferring officers from the Line to the Reserve forces. Now, he doubted whether these changes, if secured, would be so advantageous as was supposed; but, assuming for a moment that they would be, he would ask, what security had they that these changes would be effected after they had spent this money? There was nothing about them in this Bill, and it was certain that they would not follow as a matter of course. It was said, that they were to be obtained by regulations which were to be issued after this Bill had passed. The Secretary of State for War, in proposing this Bill, had said that purchase stood in the way of these changes; but purchase did not stand in the way of their being carried out in the artillery; and, if they were so desirable that the nation was to be called upon to pay this large sum of money on their account, why were they not carried out, where it could be done without being attended by this large expenditure? They were to have promotion by selection in the cavalry; why were not regulations issued providing for promotion by selection in the artillery? If the change was worth all this money, it was evidently undesirable to continue in the artillery the system of promotion by seniority. Then, again, why did not the Government at once issue regulations for the exchange of officers from the artillery into the Artillery Militia? Purchase did not stand in the way of that. The fact was that, even if purchase were abolished, it would not only be very difficult to effect these changes, but they had no security that the Government would ever have the opportunity of carrying them out. It was, he trusted, an improbable supposition; but, supposing there was a change of Government after the passing of this Bill, did the Committee believe that the regulations which were to effect those changes, and for which they were to pay all this money, would ever be carried out? How would it be if the right hon. Gentleman the Member for Droitwich were again at the head of the War Office? They knew that he believed some of these changes undesirable if they were possible, and impossible even if desirable. He was as strong an advocate for the abolition of purchase as any man in that House; but he did not think it right that the nation should be called upon to pay so large a sum, without some better guarantee that the money when spent would result in the changes which they expected. Why, when the money, as at present proposed, was paid, and officers entered the Army under the new regulations, the Government, if they wished to alter those regulations, would again have to deal with vested interests; so that they might find themselves in a few years' time in the position of having once more to compensate the officers of the Army on the terms on which compensation was made in the Civil Service. He wished also to say a word on the subject of exchanges. If exchanges were practically abolished, as they would be under the operation of the Bill as it stood, the Army would no doubt be rendered much less agreeable as a profession than it was at present, and that being so the pay of the officers would have in some shape or other to be increased. Well, what advantage, he should like to know, was the country to obtain from raising the pay of the officers? It would appear as if the Government in this proposal were actuated by a mere wanton desire of change, but the matter was a very serious one in reality. Did the Committee know what the number of officers was which, according to the idea of the Government, would be required? As he understood the Secretary for War, they were to have in 10 or 12 years 178,000 men in the Reserves, in addition to the Regular Army. Suppose that that Army were reduced from 130,000 to 100,000 or 80,000 men, there would then be the officers for a quarter of a million of men to be provided for. Now, they had at present 6,000 officers for 130,000 men. How many, he would ask, would be required for 250,000 men, and a large number for the Militia in addition? That was a point on which he thought the country ought to be informed. A great deal, he might add, had been said about the enormous prizes in the Army, and it was said that a large sum might be saved by doing away with honorary colonelcies. He would, however, beg the Committee to bear in mind that the officers of the Army were very much underpaid, while every man who knew anything of business must be aware that within the last 10 or 20 years all service requiring intelligence for its performance had very greatly risen in value. He had no doubt, indeed, that any man who understood the value of intelligent service would say, that if a fair value were put on that of the officers of the British Army, we should have to pay them double the amount which they now received. He should wish, he might add, that hon. Members who sat beside him, and who were so very much in favour of economy, but who, so far as his experience went, very often strained at a gnat while they were prepared to swallow a camel, would look the expenditure which the country would have to bear under the scheme of the Government fairly in the face. They were likely to have a largely increased number of officers, and what were they to get in return for the great outlay which would be required. Under all the circumstances of the case, what he should suggest would be, that the Government should postpone the further progress of the Bill until they had framed the necessary regulations, and until they had laid before the House an estimate of what was to be the whole cost of the Army of the future some five years hence. It might be urged in opposition to that suggestion that it would lead to loss of time; but then the Ballot Bill might be proceeded with, and that portion of the Licensing Bill which the Government meant to push on during the present Session. While the House was enaged in discussing these Bills, the War Office might be very usefully employed in concocting the new regulations, and then the House could form an opinion, if only the Ballot Bill or a portion of the Army Regulation Bill could be carried this Sessson, as to which of the two it should be. In conclusion, the present Bill, he could not help observing, had been begun in a panic, and like most things begun in a panic was likely to end in nothing but disappointment. In what he had said, he had spoken mainly with respect to the money question, but the whole future of the Army was, he believed, involved in the present scheme, and it was therefore that, while fully approving the abolition of purchase, he had deemed it to be his duty to speak in the sense in which he had done, implying that he could not on that occasion support the policy of the Government.

Mr. HENLEY said, he was unwilling to give a silent vote on the Amendment before the House. Like other hon. Members, he should not presume to give an opinion on the military part of the question; but as a Representative of the people there were questions which he could not help feeling interested about, for the Government had given no information whatever to the country, apart from the military part of the question, as to matters in which they were deeply interested. He would not venture, like his hon. Friend the Member for South-west Lancashire (Mr. Cross), to ask questions of the Government, because he firmly believed they were incapable of answering them, and, moreover, he thought the Government were legislating in a panic; and, if so, he did not believe it was possible for them to give that dispassionate attention to the question which should be given if it was to be wisely settled. So far as he could judge of it, the measure was calculated to do great injustice to the taxpayers of the country, without in any way benefiting any one of the parties desired; while as regarded the greater question, the circumstances of the taxpayer, he desired to remind the Committee that they were paying between £14,000,000 and £15,000,000 for the Army—a fact that he would beg leave to commend to the attention of those below the gangway, who talked a great deal about economy, and who said it was unjust that none should go into the Army except such as could pay. That meant that a special social class went into the Army; but let them look at the Navy, in which there was no payment for commissions. Did the humbler class of people get commissions there? Let them consider that, because they had raised a cock-and-bull story to amuse the English people into paying this money. There used to be in the Navy a class of men who rose from before the mast, all of which was now changed; and that being so, were they justified in saddling the English people with a burden of taxation of the extent of which no man had a definite idea? Were they to add to the Estimates another £1,000,000? Was that politic? It was said, indeed, they were to have a small force with the colours, and some vast Reserve behind; but looking at notorious facts, it would have been wiser to have made sure that the men could be enlisted, and having got the men, a Minister might say that it was necessary to devise a scheme for getting officers. But, he must say, that to him it seemed they were not to get the men; and, if so, were they, then, to resort to conscription? In that case, it looked as though the Government wanted to bring them to some Germanized system. No one could say that an officer who had paid for his commission would be less amenable to discipline, or less likely to lead his men well because of that. But then it was said there would be such great advantages arising from selection. That was the cry. Well, had there been such unmixed satisfaction with the working of the Navy within the last 40 or 50 years? What right had the Government to suppose that they could get better men than they got now? Had there not been a good deal of singing out about abuse in regard to the Navy, for men had acted as men would always act? At present an officer had what might be described as the benefit of renewals; if he remained long enough in the Army he would get rank; and the history of the Indian Army had taught them that rank was as much prized as money; but by the measure proposed the officer would be deprived of this certainty of rank, and in return would get nothing. It was true the Government promised to make provisions for taking up the commissions; but what was the security? Parliaments were fickle, and would be, as they had always been, hot and cold; and it might be said, when a large sum appeared on the Estimates for taking up commissions—"We have a right to revise your conditions." So the officer would stand a chance of being deprived of payment as well as this right of renewal. If Government was satisfied of the soundness of its views, why had it not fixed the charge, raised the money by some means, and set the country free of the matter? That would be a fair way of dealing with the officers, and a proposal of that kind would show that Government had confidence in its own scheme. A great deal had been said in times past about all trade being nothing more than gambling; but, considering the vast difference of opinion among those competent to judge on the subject, the whole scheme was a pure speculation, and the Government, like gamblers, were sacrificing the interests of the officers, and risking the security of the country for the sake of a possible advantage. He wished with all his heart that the Government would re-consider this important subject, which so nearly affected the future of the country. It was unjust to the people to refuse them information as to the cost; and hon. Members were not justified in imposing a large charge upon the taxpayers of the future, especially having regard to the excessive and increasing charge for Army establishments, without being well assured that the change proposed would be beneficial.

Mr. OTWAY said, he had some difficulty in determining the vote he would give. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) had touched an important point in alluding to the social position of the officers of the Army; and the same subject had been dealt with by those who, to his great surprise, had instituted a comparison between the Civil Service and service in the Army in respect of parting with sums of money for making exchanges. But the cases were not analogous. Those who were intrusted to command an armed force should be men of whose loyalty and contentment there could be no doubt. If they deprived the officers of the Army of one advantage which they possessed, he thought they would go far to touch those sentiments of loyalty and contentment for which they were at the present moment so well known. He alluded to a point of which he thought too little had been made, and which, with all due respect, had been, in his opinion, too weakly argued by the representatives of the War Department in that House — he referred to the exchanges between officers. He maintained that it was impossible to do anything more prejudicial to the public service than to throw any impediment in the way of exchanges between officers of equal rank. Hon. Members who had urged this point had been told that they were looking at the subject as if it were a rich man's question. He maintained, however, that it was a poor and not a rich man's question. It was true that we no longer maintained so many troops as we did in the West Indies; but we still sent troops to unhealthy climates, such as the Mauritius. He could easily conceive that an officer of a regiment ordered to the Mauritius, a man of means, though willing to render his Sovereign any military service that might be required of him, might still dislike being ordered to go to such a Colony, while, at the same time, an officer in the regiment ordered home might have married and settled down, and might be equally anxious to stay. In such a case, he would ask what possible harm could result from the power of exchange being permitted for a certain sum of money between officers of equal rank? He was not, however, quite sure how far this clause affected the question of exchanges. It appeared to him as if it dealt rather with exchanges between officers in the cavalry and the infantry, or between officers on full and on half-pay. He would now turn to another part of the clause—the abolition of purchase—and on that point he was entirely at issue with hon. Gentlemen opposite. He was no recent convert to the proposal for the abolition of purchase, for almost his first vote was recorded, and his first speech in that House was delivered, in favour of that proposal. It was only lately he had referred to the Division List of that debate, and he found that not a single Member of the Treasury bench went into the lobby with him. In those days he sat below the gangway, and the proposals for Army reform, most of which had since been carried with, as he believed, a beneficial result, were not fashionable, and were held by many to be impracticable. More than a quarter of a century since he purchased his promotion into another regiment to serve in an Indian regiment over the head of eight or nine officers, men further advanced in years, and many of whom had served in more than one campaign. It so happened that in 1868, when he contested the borough he represented, he found the depôt of his old regiment there. He invited the commanding officer to dine with him, and to his surprise, after the lapse of a quarter of a century, he found an old brother officer in the enjoyment of the rank of captain. He had never left the regiment, but he had served at the Cape of Good Hope, in Kaffraria, and in China. When he joined the regiment, a boy, this officer was a lieutenant, and a quarter of a century afterwards he found him only a captain; and the simple reason was that he was too poor to purchase his promotion, being only the son of an Irish clergyman, whilst others had been able to buy over his head and become general officers, many of whom entered the service after him. That officer had since left the service in which he found so little reward for his services, and it was not surprising he should have done so. He believed that the country had thoroughly made up its mind to the abolition of a system which struck at the root of all military merit, and he would counsel hon. Members opposite to adopt the opinion of the right hon. Gentleman the Member for Buckinghamshire (Mr.

Disraeli). They were resisting the wishes of the country, in persisting to oppose this reform, and they would find their efforts would be futile. The Bill, no doubt, had many defects; but the Government had taken in hand a very complicated question, and one in which they were entitled to the aid of the House. He looked upon the abolition of purchase as the first step towards the re-organization of the Army, when we should, he trusted, no longer present to Europe the ridiculous spectacle of having 500,000 or 600,000 armed men, and yet no Army; for he doubted whether we could put 40,000 men into the field to-morrow perfectly equipped. The North German Confederation, with an expenditure of £11,000,000 per annum, supported an Army of 300,000 men in times of peace, an Army capable of immediate expansion to 900,000, and yet we, with an annual expenditure of nearly £16,000,000 could not to-morrow put 40,000 men properly equipped into the field. Altogether he must say that the Bill did not deal with the question of Army re-organization in a way which he could support; and, further, he agreed with much of the criticism which had been levelled at the reticence of the Government in regard to the expense of the system of retirement. It was idle to suppose that some calculation of the cost had not been made, and it was scarcely fair to the House that such calculation had not been laid before it. It was not alone the expense that was now to be incurred, but the enormous additional sum which would be thrust on the country for payment in the future, if purchase was finally abolished. That would have to be considered. When the question was brought forward in 1851, Mr. Sidney Herbert, in opposing it, expressed an opinion that the cost of abolishing purchase at that time would have been about £5,000,000, while Mr. Frederick Peel estimated that the whole of the commissions of officers then serving in the Crimea could be purchased for £100,000, at least that was the statement to be found in *Hansard*. It was, therefore, in his opinion, an instance of want of foresight in successive Governments that the system had not been abolished before its costs had had time to grow to a sum of £8,000,000. The taxpayers had therefore a right to ask why favourable opportunities had been neglected in the past with the result of laying upon them an additional 2*d*. in the pound of income tax at the present time. He came down to the House determined to support an Amendment in favour of exchanges, for he considered it a private transaction between officers, and one that would confer no vested right whatever. On the whole, however, he should support the clause, because he believed any disadvantages it might possess were outweighed by the fact that if it were rejected it would at once prove fatal to the measure under consideration.

Mr. W. H. SMITH said, he thought the statement of the hon. Member for Chatham (Mr. Otway) that it would be impossible at the present moment to put 40,000 or 50,000 troops in the field in case of emergency, was one of the strongest arguments that could be adduced in favour of postponing this question for the present. If he understood the propositions of the Government, the House was not at present informed as to the means by which it was intended to increase the effective force of the Army, although it was asked to sanction an immense, but as yet undefined, increase in the Army expenditure. What, he asked, did they mean to substitute for the abolition of the purchase system? It was very much like what they had heard during the last two or three years that the constitution had been abolished. And what next? There was absolutely nothing, for it all rested in the bosom of the right hon. Gentleman the Secretary of State for War, or the Government for the time being. As the Government proposed to abolish purchase, he thought—although in his opinion the system was theoretically indefensible—that the House and the country had a right to ask what was to be substituted for it. What he wanted to see was an Army in which the officers should not form a strictly professional caste, similar to that which, in 1846-7, created panic and disorder in France, but should remain a part of the people of the country, and in order to insure this the Government ought to draw up and lay before the House a fair and sufficient scheme of retirement before asking Parliament and the people to assent to any scheme of Army reform. The country was now awakening to the fact that the proposals of the Government as they at present stood would not justify so large an expenditure as was proposed, and he therefore hoped the scheme would be taken back for a time, and reproduced in a manner which would be complete and likely to prove satisfactory to the country generally.

Mr. CARDWELL said, the hon. Member who had just sat down (Mr. W. H. Smith) had said it was quite impossible to defend the present system of purchase in the Army. [Mr. W. H. Smith: Theoretically.] As he understood it, practically or theoretically, for the hon. Member and the noble Lord the Member for Haddingtonshire (Lord Elcho) had been unable to distinguish between the two. The hon. Gentleman who had just sat down was in favour of delay; and here he might say he thought the excellent speech of the hon. Gentleman the Member for Chatham (Mr. Otway) was a speech in favour of delay—influenced, no doubt, by that passage in that hon. Member's speech wherein he said the amount required had increased from £5,000,000 to £8,000,000, and which hon. Members on the Opposition benches amused themselves by stating sometimes to be at £20,000,000, and at other times £40,000,000. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) objected very strongly to the adoption of a system of selection, and proceeded to draw parallels between the Army and the Navy, altogether forgetting to consider whether purchase or selection was the prevailing principle in the British Navy. His right hon. Friend the other night, giving his opinion of the principles of the Bill, went a little out of his way to tell them that the general officers of the Army were somewhat wooden-headed. He should not venture to give the smallest countenance to any such assertion as that; but he might be permitted to remind him that the Royal Commission which sat on the purchase question pointed out that if they had a man placed in the command of a regiment by virtue of his purse, they would be liable to have a disaster which might end in the loss of a battle from the bad conduct of a regiment, and that, further, unless they had a system of selection, not merely to be exercised at the time of the outbreak of a war, but a general system of selection throughout the service, by which those who would be responsible at the outbreak of a war for placing the right man in command of the whole Army might have had practice and experience in selection, the Government of this country must be in a very disadvantageous position as compared with the Government of the foreign country with which it was about to go to war. His right hon. Friend went on to say that they cut off from the purchase officer that which was his right—namely, the practice of promotion by purchase. Well, his right hon. Friend the First Lord of the Admiralty had been much blamed for a speech he had made, not in that House, in which he said they were called on to purchase back from the officers the Army, and reconvey it to the country. But if the officers had got a right to the continuance of the system of purchase—as was constantly urged on the other side of the House—wherein did his right hon. Friend (Mr. Goschen) differ from hon. Gentlemen opposite, except in the mode of expression? If the officers had that right, then it had to be purchased back before they could begin the career of Army improvement and regulation. What were they going to take away from the officers? Gambling had been spoken of; but what, he should like to know, was so like gambling as the purchase system? He had, perhaps, incurred some censure because, as a civilian when he first took his present office, he had declared the purchase question to be one which no one could understand. He had formed that opinion from finding how little the most experienced military men around him seemed to understand it. But the purchase system gave the purchase officer a priority over his comrades who had not his command of money, and yet they had been frequently told that great injury would be inflicted on the non-purchase officer if they abolished purchase. But the purchase system inflicted on the non-purchase officer that which was said to be the greatest grievance to any officer—namely, supersession all the time he continued in the Army, and when he left it gave him, indeed, other people's money to put into his pocket, being in that sense a benefit to the non-purchase officer which he ought not to have expected, and which it was not to the public advantage that he should receive. But who was the non-purchase officer whom they most wished to benefit? Was it the officer who went into the service and wished soon to leave it? No; but the officer who made the Army his profession and desired to remain there, and whom they wished to see rise by merit to the highest commands in the field. And what had that gambling and lottery system done for him? It had superseded him by giving priority to his juniors in the service; and because he did not desire to sell and realize money, he never gained any compensation for the disadvantages to which he had been previously subject. In his opinion, the foreign Governments who raised money by lottery were in much the same position with a Government which maintained the purchase system, and which said they maintained it for the benefit of the taxpayers. He now came to that which had been put forward as the great question—namely, the cost. He had been constantly told that he had been reticent on that subject. Now, he was not surprised that some persons, and especially the hon. Member for South-west Lancashire (Mr. Cross), had made that charge against him, because that hon. Gentleman probably had little time to read the Parliamentary Papers which were laid on his table in the morning. The hon. Member said all he knew about the cost was that they would have to pay £600,000 this year, £1,200,000 next year, and he did not know what it would be the third year, but he spoke as if he thought the cost was likely to go on in geometrical progression to £2,400,000 in the third year. The hon. Gentleman would have been quite satisfied if he had only known what it would be in the third year. Well, a Paper had been laid on the Table, which extended far beyond the scope of the hon. Member, for it did not terminate till the year 1895-6, and it gave full particulars for the whole of that period. From that Paper it would be found that, instead of the cost rising by geometrical progression, it would descend in the third year to £874,000, in the 10th year to £276,000, and by the 15th year to— [Mr. Assheton Cross: The limit has been altered since then.] That was a very convenient line of argument to adopt. As long as the limit was maintained, nothing was too strong to be urged against the limit. But when he announced that since the original introduction of the Bill they had obtained more light on the subject, and believed that the limit was entirely unnecessary, as there would, probably, be more sales whether the limit existed or not, and they accordingly abandoned the limit, then their opponents turned round upon them and took their objections the other way. However, as far as the calculation of actuaries was concerned, he had laid on the Table everything that he himself possessed with regard to the redemption of purchase, and, therefore, he could not be accused of reticence. Then there was the grand topic about retirement, and they were told that all that "factious opposition"—he was not using his own words, but those of hon. Gentlemen who resorted to it—would have vanished if the Government had only told them their system of retirement. Well, he should like to know what sort of criticism he should have been exposed to if he had attempted to sketch a system of retirement for which he himself had not got the data. [*Cheers.*] That was no novelty to occasion cheers from hon. Members opposite, for he had previously stated it to the House, and given the House his own candid opinion on the subject, when he introduced the measure. He had stated that there were those who said there would be no diminution in the rate of retirement after the purchase system had been abolished, and that a parent would not be less willing to send his son into the Army because he had nothing to pay for his commission. There were those who held that opinion. He did not think it was a very unreasonable one; but he had candidly admitted that, on the whole, it was not his own. But, then, he had also said that they proposed to make the Reserve forces a means of drawing off, at a certain period, experienced officers from the Army, in order that they might lead those Reserve forces. [An hon. Member: You must pay them.] No doubt they must; but that was not a discovery reserved for that evening. [An hon. Member: Where is the money to come from?] The hon. Member had early in the evening delivered—not for the first time—his sentiments on that subject; and he hoped he would be kind enough to now permit him to deliver his. Were it possible to predict whether there would be the same desire to enter the Army and to retire from it after the purchase system was abolished as there was at present, and in what proportion;

and were it possible to predict how many military officers would be willing to accept service in the Reserved forces, and to what extent, they should be able, with the assistance of the same gentleman who had prepared the Paper before him, to lay before the House a statement that would be perfectly satisfactory to hon. Members opposite. He wished very much that he had the powers of prediction to which he had alluded; but, not possessing them, all he could do was to express his belief on the subject, which was that the net result of the scheme, including the Pension List on the one side, and a possible increase of retirement on the other, would be not an increase, but a diminution of expense. Expressing thus frankly the opinions he held, he could not be accused of reticence on the subject. He had had one great advantage in dealing with this part of the subject to which he had referred the other night—namely, that although he had himself been cautious not to lay Estimates before the House for which he had no certain data, other hon. Members had not been so prudent. Thus, for instance, the right hon. and gallant Member for Shropshire placed a calculation upon the Table of that House, by which it was estimated that the increase of cost which would result from this scheme would be £1,977,000. He had had the right hon. and gallant Gentleman's figures dissected by the gentleman who had prepared the other statistics for him, and the result was, that upon the right hon. and gallant Gentleman's own hypothesis, the amount was reduced from £1,977,000 to about one-third of that amount. Had any calculations of his own been proved to be thus unreliable he should have been placed in a very awkard position, for he had endeavoured to tell the House all he knew and nothing beyond. He had one general observation for those who only wanted information on the subject, who would at once withdraw their opposition to the measure if they could only get information with regard to it, and that was this—When a reform was proposed he had always observed two classes of opponents whom it had to encounter: those who moved quite in front, and liked to take the fortress by storm, but who if opposed were beaten, and there was an end of it; and those who tried to take the movement in flank, and complain that it was not complete. The latter said—"Why come with this fragmentary plan? Why not lay all your regulations on the Table, and tell us at once what it is you mean?" But was the Government engaged in building up from a clear foundation an entirely new superstructure? Or were they engaged in the not less difficult task of combining in one harmonious whole works of the past and the future? ["Hear, hear!" *and laughter.*] It was very easy to sneer: that cost nothing; but when a great task had to be performed, it was well to understand what it was they wished to do. Well, they were endeavouring to make the Army, a complicated system of itself, and the various branches of the Reserve force, complicated also in themselves, without any violent test or any sudden change—without injury to any vested interest, unite and amalgamate till they became one arm for the public defence of the country. Was not the right hon. Gentleman opposite wise when he said that any endeavour of this kind must be tentative, and that if the Government were to come down with a set of regulations cut and dried they would, in all probability, find that they had reckoned too confidently upon the future, and that they had taken a second step before they had planted their foot firmly on the first? It had been asked by the hon. Member for Nottingham (Mr. Seely), how the Government knew that other vested interests than those they proposed to deal with would not spring up, for which they would have to provide further compensation. But the surest way to raise up additional vested interests was to make regulations hastily, and to hold out promises which could not be performed; whereas, on the contrary, by pursuing a quiet course, by making each step safe before the next was taken, and by thus carrying with them the confidence and the goodwill of the various interests which they touched, the Government would effect their object without being called upon for further compensation in respect of fresh vested interests. Such a course was doubtless not a sensational one, but it was one that he submitted with confidence the House of Commons would be wise to adopt. Much had been said in the course of the debate that night about the enormous expense the Government were going to in this matter, and attempts had been made in various quarters to draw them into a discussion upon a branch of the question with respect to which the House must be exceedingly tired. Many hon. Members appeared to think that this was the first occasion on which the question of the expenditure involved by the scheme had been debated, forgetting that the matter had been fully discussed for five nights, at the end of which time the House had decided, in his opinion most wisely, in favour of sanctioning that expenditure. How did it happen that under these circumstances, when they were now in Committee upon the Bill, that the same arguments in favour of the purchase system were iterated and reiterated, as though it was determined that no single step should be taken without every possible obstruction being thrown in the way? The question of retirement had also been fully discussed on several previous occasions, and therefore he should not feel justified in repeating the arguments he had already made use of over and over again. He was, however, delighted to find, in the course of the debate, that so many hon. Members, including the hon. Member for Westminster, who had spoken last, were by no means friends of the purchase system. The hon. Member for Chatham would doubtless excuse him for not entering into the question of exchanges, seeing that the Committee had so recently divided upon the subject. Why, it was now 14 years since Sidney Herbert had declared himself to be no friend to purchase, and it was too much to ask them to wait another 14 years before they took decided steps to secure the abolition of that system; and, besides, he believed it was the determination of the House that promotion should not go by the power of the purse, but by the merits of a man. He believed they regarded that as the foundation of all Army reform, and that they would by their vote in Committee re-inforce and repeat the determination to which, with the Speaker in the Chair, the House had already come on more than one occasion.

Lord GARLIES denied that promotion in the Army was at present obtained by the power of the purse. That observation had been so frequently made that he felt bound to challenge it, and to point out that it had been disproved over and over again. The hon. Member for Chatham was the only hon. Gentleman who had supported the clause, and one of his reasons for so doing—that he objected to the expenditure of a large sum of money on the military service—was most remarkable, seeing that by supporting the clause he was helping to incur a still larger expenditure.

Question put, "That Clause 2 stand part of the Bill."

The Committee *divided*:—Ayes 208; Noes 169: Majority 39.

Committee report Progress; to sit again upon *Thursday*.

CONTRACTORS ACT.

Select Committee *appointed*, "to inquire into the operation of the Contractors Act (22 Geo. 3, c. 45), with a view to determine whether it should be amended or repealed, or, on the other hand, be rendered more stringent."—(*Mr. Mitchell Henry.*)

INTOXICATING LIQUORS (NEW LICENCES) BILL.

On Motion of Sir Robert Anstruther, Bill to suspend the grant of New Licences for the sale of Intoxicating Liquors, *ordered* to be brought in by Sir Robert Anstruther, Sir Harcourt Johnstone, Mr. Morrison, Mr. Thomas Hughes, Mr. Wentworth Beaumont, Mr. Samuelson, Mr. Mundella, and Mr. Pease.

Bill *presented*, and read the first time. [Bill 157.]

LAND DRAINAGE SUPPLEMENTAL BILL.

On Motion of Mr. Winterbotham, Bill to confirm certain Provisional Orders under "The Land Drainage Act, 1861," *ordered* to be brought in by Mr. Winterbotham and Mr. Secretary Bruce.

Bill *presented*, and read the first time. [Bill 158.]

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Tuesday, 23rd May, 1871.

MINUTES.]—Public Bills—*First Reading*—Dogs* (134); Marriage Law (Ireland) Amendment* (135).

Second Reading—Canada (112).

Third Reading—Leeward Islands* (105); Ewelme Rectory* (82), and *passed*.

CANADA BILL—(No. 112.)

(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF KIMBERLEY, in moving that the Bill be now read the second time, said, that the Bill was intended to remove doubts which had been cast on the validity of certain Acts of the Canadian Parliament. The Act of Confederation of the North American Provinces gave power to the Parliament of Canada to establish Provinces in territories admitted, or hereafter to be admitted, into the Dominion of Canada, and to provide for the representation of such Provinces in Parliament; but an Order in Council was necessary, and prior to the issue of such an Order in July last the Canadian Parliament passed two Acts providing for the temporary government of Rupert's Land and the North Western Territory, and to establish the Government of the Province of Manitoba—formerly known as the Red River Settlement. The Law Officers of the Crown were of opinion that these Acts were valid, as not being beyond the powers of the Canadian Parliament; but doubts having been expressed the Canadian Parliament had addressed the Crown for an Act in the Imperial Parliament confirming their validity. The Bill would give the Canadian Parliament power to establish new Provinces and provide for the constitution, &c., thereof much in the same way as the United States Government dealt with territories; it gave power to alter the limits of constituted Provinces; and enabled the Canadian Parliament to legislate for any territory not for the time being included in any Province. He would take this opportunity of mentioning the success of last year's expedition to the Red River—or Manitoba, as it was now called—and the discretion and energy displayed by Mr. Archibald, the gentleman appointed Governor by the Canadian authorities, whereby a serious difficulty was adjusted. A provincial Legislature had been elected in Manitoba, fairly representing the different races and opinions, the accession of British Columbia to the Confederation secured, and there was a prospect of railway communication between it and the Atlantic Provinces. He augured a flourishing future for a territory which, till recent times, was only inhabited by the buffalo and the Red man.

Moved, "That the Bill be now read 2ª."—(*The Earl of Kimberley.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 5th *June* next.

FRANCE AND PRUSSIA — SINKING OF BRITISH VESSELS IN THE SEINE.

QUESTION.

EARL STANHOPE asked the noble Earl the Secretary of State for Foreign Affairs, What progress has been made in the settlement of the claims of compensation for the English colliers sunk in the Seine? Their Lordships would remember that in December last, while war was still being waged between the French and Germans, six English colliers were sunk by the Prussian authorities in the Seine—this being done, as at first reported, in a very peremptory manner and under circumstances of great apparent hardship. It was, therefore, very much to the credit of the English Press that, instead of stirring up popular resentment, as they might easily have done, on the first view of this event, they exercised a wise forbearance until authentic details had been received. The English Press, as a whole, did itself great honour by its forbearance; and he would take the opportunity of adding that a like forbearance on the part of this House might have been usefully displayed with regard to the recent Treaty with America until it was laid before them. The noble Earl the Secretary for Foreign Affairs showed a becoming promptitude on the occasion. As early as the 28th of December he addressed a despatch to Lord Augustus Loftus, our Ambassador at Berlin, in which he said—

> "With the information now before them Her Majesty's Government cannot but consider the seizure and sinking of those vessels to be altogether unwarrantable, and the firing upon them, if it took place, a matter which requires the fullest explanations. You will express the hope that immediate inquiry will be made into the transaction, and the conviction that if no satisfactory explanation of the proceeding is given by the Prussian General the Prussian Government will at once take such steps as the case as it now stands appears to call for."

That explanation was afforded in a very conciliatory manner by Prince Bismarck, who, in a despatch to Count Bernstorff, said—

> "You are authorized to say to Lord Granville that we sincerely regret that our troops, in order to avert immediate danger, were obliged to seize ships which belonged to British subjects. We admit their claim to indemnification, and shall pay to the owners the value of the ships, according to equitable estimation, without keeping them waiting for the decision of the question who is finally to indemnify them. Should it be proved that excesses have been committed which were not justified by the necessity of defence, we should regret it still more, and call the guilty persons to account."

He (Earl Stanhope) desired to know whether the negotiation had been proceeded with, what sum of money had been awarded, and whether it had been already paid? If the answer of the noble Earl should be satisfactory, he was sure it would be a source of great gratification to everybody in this country, as showing that both Governments had acted in a very becoming and honourable manner.

Earl GRANVILLE: I think I can give a very satisfactory answer to the Question put in so proper a tone by the noble Earl. The noble Earl stated with perfect accuracy the course taken by Her Majesty's Government and also by the German Government — and I wish to point out that no menace was used by the former. That declaration I should think it quite unnecessary to make were it not that the Papers laid before Parliament have been supposed to be liable to the misconstruction that we had adopted a tone which would have been at once undignified and injudicious, and that the German Government had yielded to menace. Taking up the history given by the noble Earl, I may state that on the 1st of February Count Bernstorff communicated to me a despatch from Count, now Prince, Bismarck, enclosing a report of the military authorities of Rouen. That report showed that the seizure was instituted for military reasons, and that there was no ground, as had been at first stated, for accusing the authorities of ill-treating the crew. The Board of Trade about that time made a careful examination of the claims that had been sent in, with the concurrence of Count Bernstorff, and they had the assistance of the able Surveyor of Lloyd's. They reported on the 15th of April, assessing the compensation which ought to be awarded at £7,073. This was communicated to Count Bernstorff, who, on the 9th of May, stated his entire concurrence with it, and on Friday last he handed over to me a cheque for the amount. I may add that on paying the cheque Count Bernstorff expressed the thanks of his Government for the trouble we had taken in investigating the claims, which would have been rather an invidious task had they themselves undertaken it. I, on my side, had the pleasure of expressing the sense of Her Majesty's Government of the straightforward and friendly manner shown by the German Government, and of the promptitude with which the claim had been settled. I have no doubt the noble Earl will agree with me in thinking that the business of the Foreign Office would be materially lightened if all claims were settled in so satisfactory and prompt a manner.

House adjourned at a quarter before Six o'clock, to Thursday next, a quarter before Four o'clock.

HOUSE OF COMMONS,

Tuesday, 23rd May, 1871.

MINUTES.] — Select Committee — *Report* — Vaccination Act (1867) [No. 246].

Public Bills—*Ordered—First Reading*—Metalliferous Mines Regulation * [162]; Metropolitan Commons Supplemental (No. 2) * [163].

First Reading—Sequestration * [159].

Second Reading—Presbyterian Church (Ireland) * [142].

Committee—Adulteration of Food, Drugs, &c. * [41]—R.P.

Considered as amended—Public Health (Scotland) Act (1867) Amendment * [92]; Local Government Supplemental (No. 2) * [115].

The House met at Two of the Clock.

IRELAND—SUSPENSION OF THE HABEAS CORPUS ACT.—QUESTION.

Mr. CALLAN asked the Chief Secretary for Ireland, Whether persons arrested under the Suspension of the Habeas Corpus (Ireland) Act have been subject to strict separate cellular confinement, forbidden association, and forbidden to receive visits as frequently as ordinary prisoners awaiting trial might; and, whether the persons who may be arrested under the proposed Suspension of the Habeas Corpus Act may be subject to like treatment?

THE MARQUESS OF HARTINGTON, said, in reply, that at first some strictness had been exercised by the prison authorities in the supervision of persons arrested under the Suspension of the Habeas Corpus (Ireland) Act; but subsequently, on the attention of the Government being called to the circumstances, those persons were allowed all the privileges of untried prisoners, and sometimes even more. In the Bill now before the House on that subject there was a provision enacting that the persons arrested under it should be treated as untried prisoners.

PARLIAMENT—PUBLIC BUSINESS.
QUESTION.

SIR JOHN GRAY asked the Vice President of the Council, If, having regard to the advanced period of the Session, the Government have fixed a time for proceeding with the Elections (Parliamentary and Municipal) Bill (commonly called the Ballot Bill)?

MR. GLADSTONE: Sir, if my hon. Friend has observed, as I have no doubt he has, the recent course of Business in this House — perhaps the state or the stagnation of Business would be a more accurate expression—he must be aware that his Question, of which he has given us but short Notice, is really part of a much larger question with respect to the condition of Business, and I think I can only answer him by making a general reply. There are two measures of the Government in particular with respect to which great uncertainty appears to prevail as to the precise amount of time which their discussion might occupy. I do not wish to say anything of a controversial character, but I think the proposition I have just stated will be admitted; and those two measures are the Army Regulation Bill and the Ballot Bill. Now, as far as the Government are concerned in regard to those two measures, it is our firm and final intention to persevere with them and to obtain the definitive judgment of the House upon them without any reference to time whatsoever. That is an announcement which it is not altogether agreeable to me to make, because none of us, I suppose, wish to make unnecessary sacrifices of time and personal convenience; and the prospect of a Session prolonged beyond the ordinary time is probably in itself not agreeable to anyone who sits in this House. At least, I can speak for myself. But we are of opinion that there are considerations of public principle and public duty involved in both of those measures which leave us no alternative whatever; and if we are supported by the majority of this House we shall give full effect to the intention that I have just announced. I will make no reference now to any other measures of importance on the Paper, because I am not aware that in regard to any of them any special difficulties appear to be likely to interpose themselves to our obtaining the judgment of the House upon them.

ARMY—ENLISTMENT.—QUESTION.

COLONEL C. LINDSAY asked the Secretary of State for War, How many men have enlisted in the Army since the last Return given by him on the 16th of February; how many have enlisted for long service, and how many for short service since that time, and how many have been accepted out of the total number enlisted since that time; and, what is the minimum measurement round the chest below which a recruit would not be accepted; also what is the minimum standard for recruits at the present moment, and what is the lowest age at which a recruit is eligible for enlistment?

MR. CARDWELL: Sir, the number actually taken on the strength of the Regiments from February 1 to April 30, is 7,116; enlisted between January 28 and April 29 (long service), 6,673; from weekly Recruiting Return (short service), 1,329—total 8,002; estimated from April 30 to May 20, 1,100—total 9,102. Minimum chest measurement, 33 inches; minimum height in districts—if 19 years of age, 5 feet 4½ inches; if less, 5 feet 5 inches. Lowest age, 17 years.

SILVER COINAGE.—QUESTION.

MR. G. B. GREGORY asked Mr. Chancellor of the Exchequer, Whether he is aware that on a large portion of the silver coinage the image and superscription is totally or partially obliterated; and, whether he is taking any steps for a new issue?

The CHANCELLOR of the EXCHEQUER, in reply, said, he was aware that our silver coinage had fallen into a very indifferent state, and the Government had been taking very energetic measures to replace it. They had been in communication on the subject with the Bank of England, and had induced it to take steps which it had not hitherto taken for calling in the half-crowns and fourpenny pieces; and he was happy to have the opportunity of making his acknowledgment to the Bank for having acceded to his request, and made no charge to the public for it. Similar communications were being made in the case of Scotland and Ireland.

IRELAND—GENERAL VALUATION.

QUESTION.

Mr. STACPOOLE asked the Secretary to the Treasury, If there is any intention of bringing in a Bill with reference to the General Valuation of Ireland this Session; and, if so, when?

Mr. BAXTER, in reply, said, it was the intention of the Government to bring in a Bill on the subject; but they had no hope of doing so in the present Session.

NAVY—CASE OF COMMANDER CHEYNE.

QUESTION.

Mr. SCLATER-BOOTH asked the Secretary to the Admiralty, Whether he adheres to the statement "that Commander Cheyne had admitted in writing that he had received his appointment in the Naval Hospital at Plymouth only till he should have attained the age of 55 years, and not for life," or whether, having made further inquiry, he will now modify that statement?

Mr. SHAW LEFEVRE: Sir, I have to state that, having made further inquiry into Commander Cheyne's case, I must admit that I was in error in stating that this officer had made an admission that his appointment was not for life. The error arose from my having mistaken the signature of another officer who held a similar appointment, and with somewhat similar name to Commander Cheyne's, in a letter making this statement with reference to his own case. In saying this, however, I must again repeat that Commander Cheyne held his appointment upon the terms I have stated—namely, till retirement from active service, and not for life. Captain Hall, who was the Duke of Somerset's private secretary at the time, and communicated with Commander Cheyne on this subject, has informed me that he could not have given that officer to understand that he was to hold the appointment upon other terms than were then in force, and under which such appointments were vacated on retirement.

EDUCATION—BUILDING GRANTS—NEW CODE, 1871.—QUESTION.

Mr. C. S. READ asked the Vice President of the Council, If the Educational Department have introduced a fourth and new limit into the Article 23 of Code 1870 as to Building Grants, viz., that the Building Grant is now regulated by the number of scholars that can be seated at the desks and not by the number of square feet in the area of the school?

Mr. W. E. FORSTER said, in reply, that no fresh limit had been introduced into the Educational Code with regard to those grants, and they were given in the same way as they had hitherto been; nor had any fresh arrangement been made as to plans. It was now, as it had been before, the duty of the Department to see that no plan was accepted that did not provide sufficient accommodation, and the condition as to accommodation evidently required that there should be room for all children to sit at desk.

BETTING ADVERTISEMENTS.

QUESTION.

Mr. ANDERSON asked the Secretary of State for the Home Department, If his attention has been called to the betting advertisements which were published on Saturday the 20th May by "Bell's Life in London," "The Sportsman," "The Sporting Gazette," "The Liverpool Mercury," "The Manchester Examiner," "The Newcastle Daily Chronicle," "The Nottingham and Midland Counties Daily Express;" and, if he will take steps to ascertain whether they were "illegal;" and, provided they were so, if he will cause the proper authorities to take proceedings against all or any of those papers, under the 7th section of the Act of the 16th and 17th years of Victoria, c. 119?

Mr. BRUCE said, he was unable to add to the Answer he had given the hon. Member yesterday. The greatest attention was being paid to the subject. As to advertisements in the provincial Press, he thought the local authorities should attend to them. In regard to those appearing in the London newspapers, the police were occupied in an investigation respecting them.

GAME LAWS.—QUESTION.

Mr. HUNT said, when the Government Bill on that subject came on for its second reading he had suggested that it should be referred, with the other Bills relating to the same question, to a Select Committee, and on a subsequent occasion the Home Secretary assented to that suggestion. Since then, however, the right hon. Gentleman, as he understood, had stated that he was in favour of referring the Game Laws and the Law of Trespass to a Select Committee. That was a very different thing, because under his suggestion there would have been a chance of passing a measure that Session; and by the other arrangement the question would have been hung up for another Session or more. He therefore wished to know, what has caused the Government to change their purpose?

Mr. BRUCE, in reply, said, he had readily assented to the suggestion that the three Bills before the House, which pretty well covered the whole subject of the game laws, should be referred to a Select Committee; but he had found that there was a very determined opposition to the second reading of those Bills. Two of them were not in the hands of the Government, and Notices of Motion against all of them had been given. There was, therefore, little probability of the Bills being read the second time early enough to be referred to a Select Committee and afterwards disposed of this Session. On the other hand, there was an expression of opinion on both sides of the House that the whole subject of the game laws, including the law of trespass, should be inquired into with a view to legislation. The Government Bill, though containing very useful provisions, did not pretend to cover the whole ground of the game laws, but only the particular parts of them which affected landlords and tenants. The Government therefore conceived that, on the whole, the best mode of facilitating the solution of that question was by referring the entire subject to a Select Committee.

PARLIAMENT—THE DERBY DAY.

Mr. GLADSTONE moved that the House, at its rising, adjourn till Thursday.

Mr. T. HUGHES said, he rose to protest against the proposal. The plea that it was an annual custom was one which was much more honoured in the breach that in the observance. Of all the loose and mischievous talk which he had heard since he had been in the House none was more misleading than the stock comparison of our races to the Isthmian Games. They might as well compare the Grand Stand at Epsom with the Parthenon, or "Dorling's Correct Card" with an Ode of Pindar. At the Isthmian Games all that was most noble and vigorous in the manhood and intellect of Greece used to meet together in competition, the reward of which was a chaplet of leaves. English races were courses on which all the rascality of the country met together in a competition, the object of which was a scramble for pounds, shillings, and pence. After what had happened in the course of the last few months, when one noble family had been disgraced, and, he feared, ruined, through a Member of that House, by reason of gambling on racecourses, he thought it was time the House should come to some other conclusion than to adjourn, when important Business was in arrear, to see the Derby run. He would not trouble the House to divide on that occasion, because there happened to be no Motion of importance standing on the Paper for Wednesday; but he begged to give Notice that if he was in the House when such a Motion was again made, he would take care that important Business should be on the Paper, and would take the opinion of the House whether they should adjourn.

Motion *agreed to.*

UNIVERSITY TESTS BILL.—[BILL 145.]

(*Mr. Dodson, Mr. Gladstone, Mr. Solicitor General, Mr. Goschen.*)

LORDS' AMENDMENTS.

Order for Consideration of Lords' Amendments read.

Motion made, and Question proposed, "That the said Amendments be now taken into Consideration."

MR. CAVENDISH BENTINCK, in rising to move to leave out the word "now," and add, at the end of the Question, "upon Thursday next," said, that the object of his Notice had nothing to do with the merits of the University Tests Bill; but that his intention in placing it on the Paper had been to protect the rights and privileges of the independent Members of that House. On the 8th of May last the right hon. Gentleman at the head of Her Majesty's Government stated that the object of the Government in asking the House to consent to Morning Sittings being held at so early a period of the Session was to enable the Westmeath Crime and Outrage Bill to be passed as speedily as possible, and the conduct of the Government in putting down the consideration of the Lords' Amendments to the University Tests Bill as the first Order for that day was a distinct breach of the pledge which the right hon. Gentleman had given on the occasion to which he referred, that the Westmeath Crime and Outrage Bill alone should be considered at this unusually early period of the Session. Surely the intention of Her Majesty's Government in thus hastily forcing on the University Tests Bill was not to throw a sop to the discontented among his supporters? He asked the right hon. Gentleman whether, while the discussion upon this Bill was being proceeded with, the inhabitants of the disturbed districts in Ireland were to be left *ad infinitum* to the mercy of the brigands who were terrifying and murdering them. He called upon the right hon. Gentleman to give a distinct enunciation of his policy with regard to the Westmeath Bill, because it appeared to him that the right hon. Gentleman, in bringing forward that measure, had been trying to execute a mere party move instead of doing his best to remedy the dismal state of things that existed in certain parts of Ireland. He had another objection, however, to make to the course that had been pursued by Her Majesty's Government which would have even greater weight in the minds of private Members. He protested against the growing practice of holding these Morning Sittings at this early period of the Session. Before the year 1862 Morning Sittings were rarely held before July, and it was not until 1867 that they began to be held in May. In the two previous Sessions only 10 Morning Sittings were held, and yet in the present year the House had already held four such sittings, which number would be increased to five on Friday next, and thus half the ordinary number of Morning Sittings would have been held by the 26th of May. Under these circumstances, he gave Notice that whenever the Report of the Committee upon Public Business was brought up, he should object to its being adopted. The right hon. Gentleman at the head of Her Majesty's Government had always assigned as an excuse for holding these early Morning Sittings that they were rendered necessary by the growth of Public Business; but looking at what had been the result of the past two Sessions, he should maintain that Public Business, instead of growing, had been decreasing. The right hon. Gentleman had taken his stand entirely upon political measures, having brought in a Reform Bill, and agitated the Irish question from every point of view, thereby preventing measures of domestic legislation being brought forward—measures which the majority of Members of that House, and of the people, would much rather see settled. The Government of the right hon. Gentleman had been one continued series of failures. His foreign policy was a failure; his Irish policy was a failure; his licensing policy was a failure; his financial policy was a failure; his army policy was a failure—["No, no!"]—at least, hon Members would admit that his policy of economy was a failure. Under those circumstances, he submitted that the right hon. Gentleman and his colleagues, who constituted a Cabinet, not of all the talents, but of all the incapables, had no right to ask for these Morning Sittings. ["Order!"] He had not said anything out of order, but he would withdraw the phrase, and substitute for "incapables" "official incapacity." What right had the right hon.

Gentleman to filch—he knew no word so fitting to describe what he meant—the modicum of time which independent Members possessed in which to discuss their measures? He felt there was a crisis of affairs in this House. He therefore called upon hon. Members below the gangway on the opposite side to support the Amendment which he had brought forward in defence of their rights and privileges.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Thursday next."—(*Mr. Cavendish Bentinck.*)

Sir HENRY SELWIN-IBBETSON said, he thought that this subject of Morning Sittings was one which required very careful consideration on the part of the House. Hon. Members had seen these sittings gradually increasing in number year by year, and no one would deny that, owing to their being held at so early a period of the Session, independent Members did suffer to a great extent in regard to the business which they might have to conduct in that House. As a sequel to Morning Sittings, accidents happened such as that which occurred at an Evening Sitting a few nights back. He was one of the unfortunate Members who came down to the House to assist in carrying on the Business of the House; but he was prevented from doing so by the count out. It had been justly stated that there was no implied understanding on the part of the Government to keep a House. But the circumstances had altered since the last arrangement was made. If the Business of the House was really growing to such an extent that Morning Sittings became indispensable at an early period of the Session, it might well become a question whether the Government might not ask for Morning Sittings on the days of Government nights, instead of on the days the nights of which were devoted to private Members, and whether they might not allow the Morning Business to be suspended at the end of the Morning Sitting so as to be resumed at the Evening Sitting. The advantage of this would be that in any case of urgency like that of Westmeath the continuous sitting throughout the day and evening would have brought the question to an early conclusion. If such a system as this were carried out the Government, being of necessity bound to keep a House on their own nights, there would be no more of those disagreeable circumstances resulting in counts out. He hoped that when the Report of the Select Committee on the Business of the House came to be considered there would be a strong protest on the part of independent Members against any curtailment of their rights.

Mr. RYLANDS remarked that it was quite impossible that he and other Gentlemen sitting near him could give any support to the Amendment of the hon. Member for Whitehaven (Mr. C. Bentinck). Looking at the course of proceeding which had lately been adopted by the hon. Gentlemen opposite, it seemed extremely probable that the House would be driven to a very late period of the Session without having accomplished any legislative work whatever. From the repeated Motions, having very much the same object, and the repetition of speeches, very much in the same terms, which had been made on the Army Regulation Bill, it was beginning to be well understood out-of-doors that the policy of hon. Gentlemen opposite was a policy of obstruction to the Public Business. He thought that a considerable amount of satisfaction would be afforded to the country by the statement of the Prime Minister that such a course of policy would not be successful, and that the Government would continue the House in Session until they had procured its verdict in regard to the two great measures before it — namely, the Army Regulation Bill and the Ballot Bill. He was quite willing to sacrifice his privileges as a private Member, in order to support the Government in the course which they had announced.

Mr. NEWDEGATE said, the hon. Member for Warrington (Mr. Rylands), who had just spoken, was perfectly aware that one at least of the direct supporters of the Government agitated the country before the Session began on the question of Army Reform. The Members of the Opposition found themselves in this position with reference to the Army Regulation Bill, that an attempt had been made to prejudice the opinion of the country by agitation, and that it was absolutely necessary to continue the debate on the Bill with the view of removing erroneous impressions. The hon. Gentleman stated that he hoped the Government would use force in order to pass that measure. If it came to the use of force the Government would find that the Opposition would also use force. The Prime Minister had been in the habit of not giving adequate notice of his intention to appoint a Morning Sitting or of the course of Business that was to be pursued. If the House once lost its character as a deliberative assembly it would fall in the estimation of the country. By the uncertainty of these Morning Sittings, by crowding the Order Book with Notices that could not be duly considered on the days for which they were appointed, such elements of uncertainty were introduced into the Business of the House that it was totally impossible for the independent Members duly to consider the vast variety of subjects which were thrust on their attention. There could be no doubt that the policy of the Prime Minister had been a sensational policy. The House had had a great many changes of the Constitution thrust upon it during his Premiership—changes which, whether as to number or extent, were totally unprecedented in the annals of Parliament. The measure with regard to licensing introduced by the Secretary of State for the Home Department did the right hon. Gentleman great honour, though it was extreme in its character; it was unfortunate that the Government, instead of a scheme for providing compensation for the officers of the Army, had not proposed compensation for the holders of publichouses. He felt so strongly that it was the duty of independent Members to insist that an adequate interval for consideration should be given between the introduction of great measures of change such as Her Majesty's Government had brought forward that, whether the Motion of the hon. Member for Whitehaven was opportune or not, he would vote with him in order to mark his sense of the undue hurry with which those measures were pushed through the House.

MR. H. A. HERBERT protested against the appropriation of the Morning Sittings to business of comparatively small importance. They had now been called upon for another Morning Sitting of Irish Members, who had with great pain given their votes to Government on the Protection of Life and Property in certain Parts of Ireland Bill, because they thought it was necessary for the protection of Ireland, and they now found that they had to discuss the University Tests Bill, which, he thought, might have waited until life and property in Ireland had been protected.

LORD JOHN MANNERS agreed with the hon. Gentleman who had just spoken that the proper subjects to be considered at Morning Sittings at this time of the year were matters of urgency. Well, the Bill for the Protection of Life and Property in certain Parts of Ireland was one of an exceptional character; but the Bill relating to the University Tests was not of a sufficiently exceptional character to warrant the Government in submitting it to a Morning Sitting. With regard to the general question raised by the hon. Member for Whitehaven (Mr. C. Bentinck), there, too, there was legitimate ground for complaint. Her Majesty's Government, by introducing a greater number of Bills than they could hope to carry into law during the Session, had produced in the conduct of Public Business a confusion which necessarily gave rise to that discontent which had found vent in the Motion of his hon. Friend. The Government Business in that House had been so managed that they were reduced at this early period of the Session to Morning Sittings, while, at the same time, they were without that prospect of success in the passing of measures of urgent necessity which would justify the appeal for Morning Sittings. It appeared to him that these Morning Sittings ought to be regarded by a prudent Government as a prudent Government would regard the income tax—namely, as an instrument of great force and value if used with discretion and directed to temporary objects of urgent importance. But when it was attempted to make use of these Morning Sittings for the purpose of considering measures of great public importance certainly, but which had not that character of urgency which was requisite to justify Morning Sittings at this period of the Session, then the House was brought into that state of confusion and discontent which led to the Motion of his hon. Friend. He suggested that if they were to have these Morning Sittings at the instance of Government on the days devoted to private Members, whether it was not worth while considering if the Government Business on those days should not be brought on at the Night Sittings, and the

Business of private Members be taken at the 2 o'clock sitting. He trusted that after Whitsuntide the House would arrive at a settlement of the question on some such basis as he had spoken of.

MR. GLADSTONE: I shall pass by with much patience and long suffering all those charges with regard to the incapacity of the Government, their policy, and so forth, with which hon. Members have contrived to intersperse their remarks in the course of this not very long but rather comprehensive debate; but I must say one word with regard to the subject of "breach of faith" which the hon. Member for Whitehaven (Mr. C. Bentinck) has advanced against me very much in accordance with his ordinary custom. [Mr. CAVENDISH BENTINCK: "Breach of engagement."] I consider a breach of faith to be a breach of engagement, and a breach of engagement to be a breach of faith. The hon. Gentleman read an extract from a speech of mine which seemed to show that I referred exclusively to the question of Westmeath. I will read the passage from *The Times*. ["Order, order!"] I am sorry the hon. Gentleman has had the advantage of me, because, by the aid of the scissors, he was able to read a passage which I am not allowed to quote from the whole newspaper. But with respect to the allegation that independent Members have lost so much of their rights, I must say that there is no Session which I recollect during which independent Members have occupied a larger portion of the time of the House than the present Session. This has been the only year in my recollection in which it has not been possible for the Government, by attention and care, to make a good deal out of odds and ends on Tuesday and Friday evenings, which in the present year has been found entirely impossible. The main question that has been raised is with regard to these Morning Sittings. Two—perhaps more than two—suggestions have been made for an alteration of the practice with respect to them. The noble Lord opposite (Lord John Manners) thinks it would be a great improvement if on Tuesday Morning Sittings Notices of Motion were taken at 2 o'clock in the beginning of the Session, and the Government were free to proceed with their Orders at 9 o'clock. I do not intend to give an opinion on this subject at first hearing the suggestion. The noble Lord must not, however, suppose, that by causing the House to meet at 2 o'clock for the purpose of considering the Motions of private Members, he would get rid of the reasons for counting out, unless he stipulated that the House should sit until 7 o'clock without adjournment. [Lord JOHN MANNERS: Hear, hear.] But this is not a matter which I can undertake to deal with at the present moment, nor is it possible for me to deal with the suggestion made by the hon. Baronet opposite (Sir Henry Selwin-Ibbetson), which would *primâ facie* take away a considerable amount of time which unquestionably the business of the Government gains under the present arrangement. It is said by the noble Lord that Morning Sittings ought to be devoted to the passing of measures of immediate urgency, as distinguished from those of paramount importance. But I think there was very much force in the declaration of the right hon. Gentleman the Member for Buckinghamshire, who pointed out on a recent occasion the convenience of Morning Sittings for despatching business in Committee. As far as our own knowledge went, we had no reason to suppose the disposal of the Lords' Amendments in the University Tests Bill was likely to occupy the five hours between 2 and 7 o'clock. We had also arrived at the conclusion that the Westmeath Bill had been so exhaustively discussed on the three days given to its consideration that it would be in the power of the House to dispose of both the subjects set down for its consideration. With regard to the position of the Government and the time when Morning Sittings are to commence, I am very desirous to avoid matters of a controverted character; but we do not disguise our opinion that, in the present position of Public Business, and with a view to promoting the credit, dignity, and character of the House, to which the hon. Member for North Warwickshire (Mr. Newdegate) so very judiciously alluded, it is necessary to take the most effectual means in our power to forward Public Business. On these grounds it is our intention to propose that Morning Sittings shall commence immediately after Whitsuntide, and continue—I will not say until the end of the Session—but, at any rate, until we see our way more clearly than we do at present to the disposal of the contested part of the business now before the House. That, as I understand it, is the question raised by the hon. Gentleman, and I shall be glad to hear the judgment of the House pronounced upon it.

MR. DISRAELI: I agree with those hon. Members who have expressed their opinions that the state of Public Business could scarcely be more unsatisfactory than it is at present; but, at the same time, I think my hon. Friend the Member for Whitehaven (Mr. C. Bentinck) was perfectly justified in vindicating the rights of those hon. Gentlemen who are described as private and independent Members. I am satisfied that it would be impossible to carry on the business of the House satisfactorily or agreeably—and it is never satisfactory unless it is agreeable—if the rights of private Members are not treated with respect by the Government of the day; but I should always feel it my duty to support as far as I could any appeal made by the Government to those hon. Members who are not in responsible situations to assist it in so arranging the time of the House that the business of Parliament may be forwarded. The right hon. Gentleman at the head of the Government is at the present moment in such a position that it is necessary for him to make such an appeal; but, at the same time, he must, when making these appeals, bring his mind into that condition which will enable him to endure such criticism as may be uttered by hon. Members. I think it was a great mistake on the part of the right hon. Gentleman, when commencing Morning Sittings this Session, to devote them to the second reading of an Irish Coercion Bill. I feel persuaded that if he had brought forward the Westmeath Bill at an Evening Sitting it would have been read a second time in one evening, and then it might well have been afterwards considered in Committee at Morning Sittings. I mention this because I think the principle involved may apply to the subsequent legislation of the present Session. I am under the impression that Her Majesty's Government stated we should have to consider the Report of the Committee on Public Business before Whitsuntide; but I do not at all press that impression, because the right hon. Gentleman must be very much influenced by events that have occurred after making such a declaration which must always be taken with a liberal interpretation. I cannot sit down without noticing some remarks that have been made by the hon. Member for Warrington (Mr. Rylands). The hon. Member for Warrington is a didactic Member. His experience has not been very long in this House; but he never rises without endeavouring to guide and inform our minds, and striving to regulate the course of our business with more advantage to the public service than could be hoped from the efforts of gentlemen possessing wider experience. That hon. Gentleman finds great fault with those who sit on this side of the House because they debate, and at such length, the Army Bill. I must protest, on the part of my hon. Friends, against this attack upon their Parliamentary conduct. It would be most unreasonable to expect that a Bill of first-rate importance should pass this House without discussion. It is true that this Bill has been discussed at some length; but every division that has been taken upon it has shown a more evenly balanced state of opinion, and I would ask whether such a consequence does not prove the advantage and the necessity of discussion. Such will, it seems to me, be the natural inference drawn from the circumstances out-of-doors—that discussions are necessary when they are not fruitless. I am sure that the right hon. Gentleman the Leader of the House has had too much experience not to be aware that the Army Bill must be the occasion of frequent and long discussion. I shall, under all the circumstances, be glad to assist any proposal which can have the effect of forwarding Public Business; but I hope that, before presenting any such proposal to the House, it will have been well matured, and will not be one of such a nature that subsequent events will render it unadvisable or impossible of execution. I shall support any proposal which will give us a fair prospect of advancing Public Business, and will respect as much as possible the rights of private Members.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Lords' Amendments *considered.*

Amendments, as far as the Amendment in page 2, line 16, read a second time; one amended, and *agreed to.*

Clause A (Declaration to be made.)

Mr. GLADSTONE moved that the House should disagree with Clause A, by which a "negative" test was imposed on all persons appointed to the office of tutor, assistant tutor, dean censor, or lecturer on divinity in any college. He need not weary the House with any observations on the subject, because it had been discussed in substance over and over again. It was the absolute determination of a very large majority in that House to oppose any Bill imposing the taking of a test as the condition of holding an office of the character described in the clause. In the course of the discussion on this subject in 1869, his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer) proposed a negative test; but it met on that side of the House with disapproval as universal as though it had been a substantive and positive test, and he was under the impression it did not meet with extensive favour on the other side of the House. He must also add that he thought it impossible to have a negative test more unfortunately framed than that introduced by the House of Lords in the present Bill. "The Divine authority of the Holy Scriptures" was a phrase which conveyed very clear ideas to the minds of most of his hearers; but, at the same time, no phrase could, in an age of criticism, be worse adapted for receiving the hard and dry legal interpretation of which in a test it ought to be susceptible. On these grounds he moved that the Amendment should be disagreed with.

Mr. SPENCER WALPOLE said, they had now reached a stage in the present controversy when it was necessary that, in the interest of the Universities, some settlement should be arrived at if possible. The very interesting evidence taken by the Committee of the House of Lords had put the issues raised by this Bill in a clearer and more defined light than they had ever been put in before. Before that evidence was taken they had the opinions of the colleges and Universities in their corporate character; but they had never received conclusively the opinions and views of those who took the greatest interest in the University with reference to the changes to be made by this Bill. There were two principles for which they had all along contended—namely, first, the continued connection between religion and education—a principle which, in the action of Parliament with regard to the subject of elementary education and endowed schools, had received legislative sanction—and, secondly, the admission of every student, provided the first principle was acknowledged, to a general participation in the advantages and benefits which the University could confer. With these principles he believed that a negative test such as the one under discussion was perfectly consistent. But he was free to admit that there was a difficulty about the wording of this clause which might touch the scruples of a few conscientious people. From what he had heard from the University of Cambridge, he was given to understand that in the opinion of many who were opposed to this Bill there might be renewed agitation and irritation if this clause were retained in the Bill. So far as he was personally concerned, he should have liked to see some such clause in the Bill; and he could not assent to the disagreement with the clause as far as his own opinion went. But under the circumstances to which he had referred he did not wish to press his own view upon the House, and should not go to a division on this question.

Mr. CLIFFORD thanked the right hon. Gentleman (Mr. S. Walpole) for not attempting to insist upon a clause which the Liberal Members of the University of Oxford unanimously believed would prove nothing but a snare and an annoyance. Indeed, they would far rather submit to the existing restrictions than see them re-enacted in the form in which they would be embodied by this new clause. He considered that it had been introduced by a wanton caprice of power on the part of the Upper House, and that it was almost an insult to the House of Commons. There was no definite meaning which could be attached to the words in this clause, and the result of it would probably be that many pious men, whose reverence for the Holy Scriptures could not be doubted, would feel themselves very much hampered in the discussion of such subjects as astronomy, science, and geology.

Mr. OSBORNE MORGAN observed, that the test contained in the clause was the same as that proposed by the hon. and learned Member for Richmond (Sir Roundell Palmer) two years ago, and though it was then advocated in one of the ablest speeches he had ever heard in that House, the proposition was very coldly received by hon. Members opposite, and was rejected without a division and almost without discussion. The hon. Member for Chester (Mr. Raikes) had described it as certain to produce the "minimum of utility with the maximum of injustice." Another hon. Member opposite had compared it with the attempt of Mrs. Partington to keep out the Atlantic with a mop; in fact, the only hon. Member on the other side who supported it was the hon. Member for North Warwickshire (Mr. Newdegate), of whom it was only just to say that he had never changed his opinions on anything. For his own part, he had always objected to all tests, on the ground that they kept out the wrong men. They excluded conscientious and high-minded men, and were disregarded by those who preferred their prospects to their principles. Of this he would give a practical illustration. In 1854, shortly after the test for the B.A. was abolished, it was thought necessary still to keep up the distinction between Dissenters and Churchmen, by making candidates either sign a declaration of Dissent, or else submit to an examination in Church divinity. The effect of this was marvellous, and Dissent soon became rampant in the University. He remembered the case of one gentleman who having come up as a churchman broke down in examination on the Thirty-nine Articles. He was accordingly plucked; but in the evening he made a solemn declaration of Dissent. The Examiner told him he was too late, as it was impossible to accept a retrospective declaration, whereupon the candidate exclaimed—"Oh, I am a retrospective Dissenter." These things happened every day. The old test was infinitely better than the one under discussion, which was no doubt skilfully framed to catch the votes of orthodox Dissenters in that House. But he could not help thinking that Dissenters both in and out of the House would care as little for this "soft sawder" as they did for the blows and cuffs that were administered to them in former days.

MR. GATHORNE HARDY said, the facts which the last speaker had brought under the notice of the House were such as were not known to anybody but himself. When the declaration was proposed by the hon. and learned Member for Richmond (Sir Roundell Palmer) he thought it would not carry out all that he desired; but when there was a determination to get rid of a liberal and fair test—a test not interfering with consciences, but securing the distinctive religious character of Governing Bodies; and when both branches of the Legislature had agreed to make the Governing Body undenominational, he felt certain that no declaration and no test would be satisfactory, and he did not see his way to any declaration that would give security that the teaching would be of such a character as he could approve of. He had seen on the part of Liberal Members no readiness to accept such a declaration as this; and what he preferred was enacting clauses to direct religious instruction to be given, rather than try by a test to prevent the religious opinions of the youth of the country being influenced by the teaching of any man. He thought the country was greatly indebted to the House of Lords for the inquiry which they had instituted; and if the hon. and learned Gentleman who had last spoken conceived that young men ought to receive any instruction at all in religion it could not be denied that they ought to have it in some definite shape. When young men went to the University they were not fit to be left entirely to themselves, and were not fit to form their conclusions on religious matters, and it was far better that the same kind of teaching which they had before received should be continued. He could not, however, see any hope of a solution of the question in the Amendment; it would give none of the securities he desired, and therefore he did not feel in any way bound to support it.

MR. NEWDEGATE said, the hon. Member for Denbighshire (Mr. Osborne Morgan) had said that he (Mr. Newdegate) was the only Member of the House who never changed his mind. Now, a man who never changed his mind was a fool; but perhaps the hon. Member might not be aware that his (Mr. Newdegate's) conduct in that House was the result of his having been in the habit of considering what he should say, and what he should do before he came down to the House. The whole argument in favour of the abolition of University Tests had been that they ought not to be capable of legal enforcement and inflict legal disabilities. Now, here was a test framed in such terms as not to render it totally incapable of legal enforcement, yet it was a direct appeal to conscience and to honour. He did not fear to appeal to the conscience and honour of Nonconformists any more than he feared to appeal to the conscience and honour of Churchmen in defence of Christian education. The test was originally framed by the hon. and learned Member for Richmond (Sir Roundell Palmer), and his proposal had been adopted by the House of Lords, which had so framed this declaration that it should comprehend everyone who was willing to admit the inspiration of the Holy Scriptures, and accept them as the embodiment of Christian doctrine. If the country was to have Christian teaching, why should not the Legislature say so? He preferred the requirements of a declaration very much to any security in the personal character of the individual teacher, and for this reason—because the teaching must be given in public and on behalf of the University. The public opinion of the University would try that teaching by the standard of the declaration if it was enacted. It was for that reason that he supported the test that had come down from the other House. He regretted to find that some of the right rev. Prelates had objected to this declaration; the course they had taken manifested a great want of moral courage and great imprudence, for if the Bishops were not to teach Christianity according to the Bible, he (Mr. Newdegate) and many other Churchmen would care as little about them as do the Nonconformists. It was a curious fact that the Quakers were the only denomination who had no religious test of communion among themselves. Every other denomination had some test, and it now appeared that the Liberal party had in their objection to all tests adopted this peculiarity of the Quakers. He (Mr. Newdegate) would give an historical illustration of the effects of this system. In 1687 Penn, acting in the interest of James II., was sent to negotiate with the then Prince of Orange, and he held in his hand an account of that negotiation. It was a passage in history which had been much overlooked by Liberal Members, or they would not be so ready to adopt the theory of the Quakers. The whole of these Liberal objections to all tests were objections which prevailed in no denomination in its own government except among the Quakers. He wished to show Liberal Members what in former times had been the consequence of the course then adopted. In *Burnett's History of His Own Times* he found the following passage:—

> "Complaints come daily over from England of all the things that the priests were everywhere throwing out. Penn, the Quaker, came over to Holland. He was a talking, vain man, who had been long in the King's favour, he being the vice-admiral's son. He had such an opinion of his own faculty of persuading that he thought none could stand before it. Though he was singular in that opinion—for he had a tedious, lucious way, that was not apt to overcome a man's reason, though it might tire his patience—he undertook to persuade the Prince to come into the King's measures, and had two or three long audiences of him upon the subject. And he and I spent some hours together on it. The Prince readily consented to a toleration of Popery as well as of Dissenters, provided it were proposed and passed in Parliament; and he promised his assistance, if there was need of it, to get it to pass. But for the tests, he would enter into no treaty about them. He said it was a plain betraying the security of the Protestant religion to give them up. Nothing was left unsaid that might move him to agree to this in the way of interest. The King would enter into an entire confidence with him, and would put his best friends in the chief trusts. Penn undertook for this so positively that he seemed to believe it himself, for he was a great proficient in the art of dissimulation. Many suspected that he was a concealed Papist. It is certain he was much with Father Peter, and was particularly trusted by the Earl of Sunderland. So, though he did not pretend any commission for what he promised, yet we looked on him as a man employed. To all this the Prince answered that no man was more for toleration in principle than he was; he thought the conscience was only subject to God; and as far as general toleration, even of Papists, would content the King, he would concur in it heartily. But he looked on the tests as such a real security, and, indeed, the only one, when the King was of another religion, that he would join in no counsels with those that intended to repeal those laws that enacted them. Penn said the King would have all or nothing; but that, if this was once done, the King would secure the toleration by a solemn and unalterable law. To this the late repeal of the Edict of Nantes, that was declared perpetual and irrevocable, furnished an answer that admitted of no reply. So Penn's negotiation with the Prince had no effect. He pressed me to go over to England, since I was in principle for toleration; and he assured me the King would prefer me highly. I told him since the tests must go with this toleration, I could never be for it."

He had cited this passage as a warning to the House in the course upon which it was now entering; for this distinguished Quaker, who was opposed to all tests, was employed by a Roman Catholic Prince to negotiate with the Prince of

Orange for the abolition of all tests. William III. declared for full toleration; but would not consent to the abandonment of tests, and drew a wise distinction between the two. James II., on the contrary, while professing vast Liberalism, was aiming at the establishment of personal government, and in doing so acted consistently with his religion as an Ultramontane Roman Catholic. And what was the result? He aimed at personal government in everything, and the tendency of our legislation at present was a preference for reliance upon individuals rather than upon principles, and on that difference rested the whole difference between the principles of arbitrary government and government by law. It was noteworthy that Dr. Manning had hailed the doctrine of the Pope's Infallibility because he hoped that in the exercise of the supreme authority thus attributed to him, the Pope would be able to annul all effective examination of different religions by the light of history, and thus silence all objection to his authority and to his decrees. Religion had formed a large part of the history of this country, and Parliament was now dealing with the education of those who were to succeed them as legislators; they were now touching the foundation of the future legislation of the country, and his fear was not for religion, but that, if they lost this opportunity of comprehending in one system of education by law all those who were attached to Christianity, they would lose the foundation of that respect for freedom in the future generations of our legislators that it was so essential to maintain. For these reasons, and not on account of any mere religious bias, he should certainly oppose the rejection of the Amendment which had been adopted by the House of Lords.

Sir ROUNDELL PALMER said, he wished to put himself straight with the House with regard to the course he proposed to take on the question. It was inaccurate to say he was the author of the declaration; it was, so far as it went, in the very words which Parliament had required from the lay Professors of the Scotch Universities when tests were abolished, and had always been made without scruple; and he had recommended its adoption, because, requiring no declaration of religious belief or disbelief in any tenet whatever, it could be made by all men of whatever religious views, and was simply a negative promise to teach nothing contrary to the doctrine of the Divine authority of the Scriptures, no matter what their own opinions might be on the matter. He believed the law at present would require teachers to conform in their teaching to all that this declaration would bind them to; but it would be better if, in addition to the requirements of the law, they were made responsible under their own declaration. He regretted that it had been described as a test, because to do so was almost to make it one; and if, being so regarded, it would deter the scrupulous, as was alleged, from making it, without deterring the unscrupulous, his motive for pressing it was gone. He, on a former occasion, did not press the clause on the House in that state of things: and he could not but hope that it would not be pressed to a division now. After what they had heard from his right hon. Friends the Members for the two Universities (Mr. S. Walpole and Mr. G. Hardy)—men in every sense as eminently qualified to speak for the Universities, and also—if he might venture to say so—for the general body of the Church of England, as any Members of the House could be, it was evident that, in their judgment, the reasons against pressing that clause preponderated over the reasons in its favour. And he would venture to add another reason of his own—namely, that, believing it to aim at the declaration of a true and sacred principle, he should deeply regret that there should appear to be a vote taken by a considerable majority of that House which could by any person be represented as affirming the contrary of that principle.

Question, "That this House doth disagree with The Lords in the said Amendment," put, and *agreed to.*

Clause 3 (Persons taking lay academical degrees or holding lay academical or collegiate offices not to be required to subscribe any formulary of faith, &c.)

Page 2, line 16, "after the word 'aforesaid,' insert the words, 'except the headship thereof,'" the next Amendment, read a second time.

Mr. GLADSTONE moved that the House doth disagree with the Lords in the said Amendment. When the Government acceded before to this Amendment they were under the impression that they should, in so doing, be acting in uniformity with the wishes of a large majority of those principally concerned; but that was not so, and as he believed that the exemption would greatly mar the boon which the House was about to confer, and take away from it its consistency as well as its grace, while it would leave them in a position in which they could not hope for even the smallest intermission of Parliamentary agitation on that question, he moved that the House do disagree with the Lords' Amendment.

Question proposed, "That this House doth disagree with The Lords in the said Amendment."—(*Mr. Gladstone.*)

Mr. MOWBRAY expressed his extreme disappointment that the Government, while endeavouring to effect a final settlement of this question, could not consent to the retention of the words which had been inserted in the clause by the other House of Parliament. The Bill, in its Preamble, recognized the principle that there ought to be proper safeguards for the maintenance of religious instruction and worship in the Universities, colleges, and halls; and the provision embodied in this Amendment he regarded as an essential safeguard. The heads of colleges should in time to come, as in times past, continue to be members of the Church of England. Last year was the first time in which that question was dealt with as a Government question; and the Bill of 1870 embodied not only the conclusions of the Government, but also the result of their communications with the Universities. All he asked the Government now to do was what they deliberately proposed to do last year; and he hoped the House would adhere to the decision of the House of Lords, and join in bringing the Bill back to the shape in which it was introduced in 1870. He should take the sense of the House upon the question.

Mr. BERESFORD HOPE rose to protest against the House going to a division in this hurried manner upon a question which so materially affected the Universities. The question was one not of minor importance, as the House seemed to think; but one on which the future of these great national institutions very much turned, and it would be unfair to the Universities, and to the question itself, if it were not regarded with a little more attention. The Universities, and all their emoluments, were to be thrown open to all; but he did hope that the headships of colleges would be reserved to members of that denomination—to put it on its lowest ground—which was the unquestioned religion of a large majority of the people of England. If this concession were refused, and the headships of colleges were thrown open to persons of all denominations, the result would be that the smaller colleges would become a fighting ground and scrambling place for the different denominations, and if a chance majority belonged to a particular denomination, the head of the college would be chosen to represent that denomination. Then, in case, as would be probable in the course of time, the opinions of the majority became changed, the head of the college would find himself in hostility with the fellows who formed the council of advice. On the contrary, the limitation of the choice to persons who belonged to the largest religious Body in the kingdom—the Church of England—would be a pledge of moderation. The head, who was elected on those conditions, would feel that the *raison d'être* of his office so limited was one of impartiality to all religionisms, none of which would come into collision with himself. In the cause of true liberality he trusted that the House would agree with this Amendment of the Lords.

Lord EDMOND FITZMAURICE said, he had been in communication with the Liberal party both at Cambridge and at Oxford, and he believed that there was a strong feeling against the exemption of the heads of colleges from the operation of the Bill. He believed that the extreme of concession had been arrived at, and that it would be impossible for the House to accept the Amendment made in the clause by the other House of Parliament.

Question put.

The House *divided*:—Ayes 255; Noes 149: Majority 106.

Page 2, line 38, "after the word 'office,' insert the words 'nor shall any such statute or ordinance be repealed, except by authority of Parliament,'" the next Amendment, read a second time.

Mr. GLADSTONE moved to disagree with the Lords' Amendment in the said Amendment, the effect of which would be to leave untouched the restrictions in respect to the holding of fellowships. The House had provided that they should not interfere with the statutes of colleges which restricted fellowships in certain cases to persons in holy orders. When it was proposed by a very large minority to absolutely abolish clerical fellowships the Government objected, preferring that the subject should be dealt with by the statutes of colleges. With this the Lords had not been content, and had introduced words the effect of which would be to place all possible restrictions on the holding of fellowships, and induce a state of things to which the existing machinery would not be applicable. This was an unreasonable demand, and one which could not be acceded to in the case of a Bill for the settlement of the question of University education.

MR. J. G. TALBOT said, he regretted that his right hon. Friend had not sought to improve the Lords' Amendment instead of entirely discarding it. He (Mr. Talbot) must protest against allowing Governing Bodies in colleges to make changes without the world knowing what they were doing.

MR. SPENCER WALPOLE said, he thought it was important if any changes were made they should emanate from the colleges themselves. Nothing, he believed, was more important for the two Universities than that they should remain as free as possible to act for themselves, and that no extraneous agencies should be brought to bear on them. For these reasons, he agreed with his right hon. Friend at the head of the Government.

Question, "That this House doth disagree with The Lords in the said Amendment," put, and *agreed to.*

Clause B (Religious Instruction), the next Amendment, read a second time.

MR. GLADSTONE moved in line 1, after "college," insert "subsisting at the time of the passing of this Act in any of the said." The clause, as it stood, would actually provide that the authorities in a Roman Catholic college should make provision for religious instruction in the principles of the Church of England.

MR. J. D. LEWIS said, he did not think the clause satisfactory. What was meant by providing religious instruction? Did it mean the same amount as there was in the Universities at present? If so, all he could say was that when he was at college they had no religious instruction at all. They were only compelled to go to Church once every Sunday and once every week-day, under the penalty of being "gated." The hon. Member was proceeding to move the omission of the clause, when—

MR. GLADSTONE suggested that he should wait until the question of the Amendment was settled.

Proposed Amendment *agreed to.*

MR. BOUVERIE said, if they were to have this provision for the religious instruction of all undergraduates of the Church of England, they at once introduced a distinction between the classes of undergraduates. There would be two distinct camps—a Nonconformist camp and a Church of England camp. He always understood that that was just the very thing they wished to avoid. If the word "all" was to be retained, the authorities of the colleges would be obliged to have a sort of religious census in order to ascertain all who belonged to the Established Church. He objected to that process. If his hon. Friend the Member for Devonport (Mr. J. D. Lewis) should move the omission of the clause, he would go into the lobby with him. In the meantime, he begged to move the omission from the Amendment of the word "all."

MR. VERNON HARCOURT begged to ask hon. Gentlemen who held that religious instruction ought to be the basis of all education, why it was to be given only to members of the Established Church and not to members of other denominations. This clause, as now worded, was entirely inconsistent with the principles of the Bill, and, as far as he understood, with the principles of the hon. Gentleman opposite also.

MR. BERESFORD HOPE observed, that the question of the hon. and learned Member for Oxford answered itself; it was not given to members of other denominations because they were Nonconformists, for the corner stone of Nonconformity was the protest against interference by the State with its worship or religious instruction. On that account the difficulty had been to admit Nonconformists to the Universities consistently with the connection of the Universities with the Established Church. For years they had been trying to settle that question, and at length it was about to be settled, as the difficulty of the Gordian Knot had been settled, by cutting it. Then came the fact that the Church of England, being Established, did not object to Parliament legislating for its religious education; but the Nonconformists did. If his hon. and learned Friend would move, in the name of the Nonconformists, that religious education should also be provided for the Nonconformists, he would have a good chance of the assistance of Members on the Opposition side in carrying the Motion.

Mr. GLADSTONE said, it had been suggested to him that if the clause was left in its present form, taking the word "all" in conjunction with the Conscience Clause, the effect would be a Parliamentary compulsion on those students who were members of the Established Church. That would be beyond the province of Parliament, and therefore he agreed with the Motion. With regard to the merits of the clause, the Government would have been glad to have the Bill without it. The true state of the case was this. The House had been going through the Amendments of the Lords to the Bill, and had thus far rejected the whole of those Amendments. They ought to ask themselves this question, whether for the sake of each of the Amendments they had rejected they were prepared to incur the loss of the Bill. The Government had asked themselves that question, and with regard to the three important Amendments which the House had got rid of they were prepared to incur the loss of the Bill. Then came the question whether they ought to incur the loss of the Bill rather than accept this clause, which was not intended to secure an invidious distinction, but to assert, on behalf of Parliament, the importance of religious instruction. It was true it provided religious instruction only for members of the Church of England; but, as his hon. Friend the Member for the University of Cambridge (Mr. B. Hope) had pointed out, it would not mend the clause in the eyes of Nonconformists if this provision were extended to the members of other denominations. The Government would be loth to incur the responsibility of losing this Bill on account of a somewhat vague and indeterminate provision asserting the opinion of Parliament that religious instruction ought to be provided. They did not see anything improper in such a declaration; but, on the contrary, they thought it highly proper to make provision for religious instruction on behalf of the students according to the communion to which they might belong. The only communion which could be introduced in that respect into the Act without risk of giving great offence was the communion of the Church of England; and it would be a misfortune to lose a Bill of this kind when they had apparently reached the last stage of a controversy which had lasted for 40 years, because an alteration had been made of which it was impossible to say that it interfered in any serious manner with the objects and principles of the Bill.

Mr. GATHORNE HARDY observed, that the House of Lords had practically adhered to the declaration contained in the 4th section, and had, in substance, not interfered with it. With respect to the Amendment of his right hon. Friend the Member for Kilmarnock (Mr. Bouverie), he did not see that it would be modified by the omission of the word "all." As to the clause generally, he thought the House had been met pretty fairly by those who sat on that (the Opposition) side, and he thought the other side should not abuse their position so far as to take away the small advantage which this clause afforded.

Mr. W. FOWLER objected to the clause on the ground that it was not the business of Parliament to provide religious instruction, but rather the duty of heads of colleges, who would do it as a matter of course. He trusted that the body of the House would pause before they agreed to what was a perfectly needless enactment.

Mr. MIALL was expressing, as he believed, the opinions of a large number of Protestant Nonconformists, when he stated that the proposal of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) was unnecessarily offensive towards the feelings of many. In this Bill the question of religious observances was left to the discretion of the Governing Bodies. Of that they did not complain, and no further security for religious observances would, he maintained, result from the adoption of the course now recommended. He should not think it worth while to trouble the House to divide upon this question; but he thought it right to protest against the insertion of these words. They were unnecessary; and while they were offensive to some, he did not think they would give any advantage to the Universities or colleges.

Mr. OSBORNE MORGAN believed there would be great difficulty in giving effect to the clause; and argued that it was inconsistent with the dignity of Parliament to encumber an Act with provisions which could never be enforced.

Mr. J. G. TALBOT desired it to be understood that the omission of the word "all" from the clause was not intended to encourage any undergraduates to stay away from chapel, but was assented to because such an alteration would not affect the meaning of the clause. He would remind the hon. Member for Bradford (Mr. Miall) that if Nonconformists wished for instruction in their own doctrine there was no objection to allowing them to have it; but the House had recently determined, by a large majority, that there should be an Established Church, and so long as it was in existence it would be the duty of Parliament to provide religious instruction in accordance with the doctrines of that Church.

Motion *agreed to;* the word "all" struck out of the said Amendment.

Moved, "That this House doth agree with the Lords in the said Amendment, as amended."—(*Mr. Gladstone.*)

Mr. CRAUFURD said, that many hon. Members had been dissatisfied with the Government for insisting on sending the Bill in such a form to the House of Lords; but they assented to it on the suggestion of the Government that the Lords would not object to a Bill in that form. This clause, however, made a material alteration in the Bill, and he thought the Government were not keeping faith with their supporters when they asked the House to agree to such a serious modification, which was inconsistent with previous legislation, and in direct contradiction to the principles adopted in the Bill for education in Scotland. He hoped his hon. Friend would go to a division on the clause.

Mr. DENMAN entirely agreed with the speaker who had just sat down. The introduction of such a clause into the Bill as that proposed would be to throw an entirely new duty upon the heads of colleges; whereas in such matters they ought to be left to their own free will.

Mr. BRISTOWE said, he had supported the Bill on the representation that it was intended to repeal all University Tests; but this clause seemed to introduce entirely new matter. When he was at Cambridge he did not experience the benefit of any sufficient religious instruction; in fact, he received no religious instruction whatever. They were certainly taught a certain amount of Greek Testament; but that was merely as a lesson, and not as religious instruction at all. This clause was inconsistent with the scope and aim of the Bill.

Mr. SPENCER WALPOLE said, he thought the hon. Member (Mr. Bristowe) had got into some confusion in trying to draw a distinction between religious lessons and religious instruction. The learning of the Greek Testament might and ought to be to a certain extent religious instruction. This clause was intended to give an assurance to English parents that the religious instruction hitherto given at colleges would be continued after the passing of this Bill, and he believed it would be beneficial in its operation.

Mr. MONK said, that the clause had nothing whatever to do with the maintenance of religious services in the colleges. If it was passed, the result would be that a new test would be imposed on the Universities.

Question put.

The House *divided:*—Ayes 197; Noes 165: Majority 32.

Clause, as amended, *agreed to.*

Clause C (Morning and Evening Prayer to be used as heretofore, but an abridgment may be used on week days on request of governing body).

Amendment read a second time.

Mr. GLADSTONE moved, in line 3, after "college," leave out "and hall in the," and insert "subsisting at the time of the passing of this Act in any of the said."

Mr. VERNON HARCOURT said, he wished to call attention to the exact position of the clause and the Amendment moved by the right hon. Gentleman at the head of the Government. He proposed to confine the operation of the clause to colleges now existing; but supposing there should be in any of the existing colleges at any future time but one single member of the Established Church, were they going by Act of Parliament to declare that that college should have morning and evening service according to the forms of the Established Church? Suppose, also, that the majority of an existing college should belong to some other denomination than the Established Church, they would compel for ever the performance of morning and evening prayer for the minority in that college. They had often contended below the gangway against exclusive proposals even in the interest of the majority; but here it was proposed to enact in favour of the minority provisions to which the majority might disagree.

Amendment *agreed to.*

Several Amendments made: an Amendment proposed (*Mr. Walpole*) and *withdrawn.*

Moved, "That this House doth agree with the Lords in the said Amendment, as amended."—(*Mr. Gladstone.*)

Mr. CANDLISH expressed his regret at the introduction of the clause, and he should ask the judgment of the House on it. The House had nothing to do with prescribing religious teaching in these colleges. He also regretted that the Government should have departed from the position they took up when the Bill was in that House, when they resisted all Amendments to it. The Government had receded from that position, and now adopted such Amendments as they thought fit.

The SOLICITOR GENERAL said, the Bill had been sent to the House of Lords in the shape it was believed it would be most acceptable to them; the question now was as to how much of the Lords' Amendments it would be expedient to take—what price, in fact, it would be advisable to pay to secure this settlement of the question. ["Oh!"] He was unconscious of his having said anything to provoke that expression of feeling. He thought he was only speaking the plain truth. If his own personal feeling had been consulted in the last division he should have gone with the minority, and on this occasion his entire sympathy went with the clause. When Parliament deprived the Church of England of the exclusive possession of the Universities it did not seem much to provide that the same services which had been celebrated in the college chapels for many hundred years should be celebrated there still, especially as the majority of those in the Universities would be members of the Established Church. When it came to one member, as the hon. and learned Member for Oxford (Mr. V. Harcourt) had stated, a totally different state of things would arise, when it would be the duty of Parliament to interfere.

Mr. CRAUFURD looked upon the acceptance of this and the companion clause by the Government as nothing less than a breach of faith on the part of the Government.

Mr. BOUVERIE said, he read the operation of this clause in a different sense from many hon. Members. The Act of Uniformity required full services to be celebrated in the chapels of the colleges, and this clause was an Amendment of the Act of Uniformity, inasmuch as it allowed an abridgment or adaptation, whatever that might mean, of the services. The services to be held in the chapel must necessarily conform to the custom of one religious Body or another, and as the great body of Dissenters did not object to the prayers of the Church service it was no great hardship to require the Church of England service to be continued in the college chapels.

Mr. VERNON HARCOURT said, that what he wanted to know was this—Supposing that in a college now subsisting there should at any future time be no member of the Established Church, were they going by Act of Parliament to declare that that college should have morning and evening chapel according to the forms of the Church of England?

Mr. GLADSTONE said, they had got to the last contested point in this very thorny controversy, and they were asked again to divide in the hope of reversing the judgment of the House, which there was not the slightest possibility to believe would be respected by the other branch of the Legislature. ["Oh, oh!"] He was only stating his opinion; and therefore he thought it was not desirable to have the Bill brought back again and to be asked to eat their own votes; nor, on the other hand, was it desirable for the sake of this point to provide that in certain consecrated buildings of the Church of England there should not be continued those services which had been celebrated there for centuries, and thereby throw over the result of their labour and leave the controversy open.

Question put.

The House *divided*:—Ayes 229; Noes 99: Majority 130.

Subsequent Amendments read a second time; one amended, and *agreed to*; several *disagreed to*.

Committee *appointed*, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendments to which this House hath disagreed:" Mr. Gladstone, Mr. Secretary Bruce, Mr. William Edward Forster, Mr. Goschen, Mr. Solicitor General, Mr. Dodson, Mr. Knatchbull-Hugessen, Mr. Winterbotham, Lord Edmond Fitzmaurice, Mr. J. D. Lewis, Mr. Acland, and Mr. Parker:—To withdraw immediately; Three to be the quorum.

Reasons for disagreeing to certain of The Lords Amendments *reported*, and *agreed to*.

To be communicated to The Lords.

And, it being now Seven of the clock, the House suspended its sitting.

The House resumed its sitting at Nine of the clock.

WATER SUPPLY (LONDON).

RESOLUTION.

Mr. KAY-SHUTTLEWORTH rose to bring before the House the Reports which had been presented by two Royal Commissions—the Commission appointed in 1866 on Water Supply, and presided over by the Duke of Richmond, and the Commission appointed in 1868 to inquire into the best means of preventing the Pollution of Rivers. There was much in the Report of the latter Commission which would hereafter deserve the separate consideration of the House, but he proposed on that occasion to confine himself exclusively to those parts of the Reports which had an especial bearing upon the Motion which he should have the honour to submit—

> "That, in the opinion of the House, the water supplied to householders in London should be derived from pure sources, and should be delivered on the constant system."

He supposed no one would deny that hardly any subject could engage the attention of the House of greater importance, not only to this Metropolis, but to the country generally. They were all deeply concerned in the cleanliness and health of their capital. Whether they were inhabitants of London, whether they were only occasionally resident in London, or whether they were, as Members of that House, responsible to the ratepayers of London, it seemed to him that the supply of pure and wholesome water was a subject of the deepest interest to them. The subject to which he desired to draw the attention of the House was but a part of the great problem of sanitary reform of the whole country; and now that they had, by the legislation of the first half of the present century, given to the people of that country political and commercial freedom, and a system of national education, he thought that no subject deserved a larger share of the thoughts of Members of Parliament than the subject of sanitary reform. They were told by a high medical authority, Dr. Simon, the Medical Officer of the Privy Council, that there were no less than 100,000 preventible deaths in this country in the course of a year, and if they were entrusted with the knowledge how those deaths might be prevented, he ventured to assert that they, as Members of the Legislature, might be held, in a great degree, responsible for that loss of life. Regarding this subject in so serious a light, he asked the kind attention of the House while he proceeded to justify the course in which he would ask them to embark. Her Majesty's Government, at the commencement of the Session, introduced a Bill for the purpose of amending and enlarging the Metropolis Water Act of 1852. His hon. Friend the Member for the Universities of Edinburgh and St. Andrews (Dr. Lyon Playfair), who would second his Motion, had undertaken, as a division of labour, the consideration of that Bill so far as it related to the Motion; and therefore he (Mr. Kay-Shuttleworth) would only make one or two passing observations upon it. The Bill seemed to him to deal with the subject in a very incomplete and unsatisfactory manner, and it was on account of its incompleteness and unsatisfactoriness that he had desired in any discussion that might take place upon the Bill to raise a larger and wider question as to whether they should not go to purer sources for their supply of water. But there seemed no prospect of such debate at a late hour on a Government night. He had, therefore given notice of his present Motion that he might ask the House not to tinker the present system of water supply, but rather to follow the example, not of our modern cities and towns only, but even of ancient Rome and the great cities of Italy, when they went to distances comparatively great in order to ensure for their large populations the inestimable advantage of pure water. His first duty was to convince the House that their present supply was derived from polluted sources, that it was always suspicious, and sometimes absolutely dangerous in character. He should have to dwell on many unsavoury topics, for his object was to disgust the House, the country, and the ratepayers of London with the water now provided. Their supply was chiefly derived from the River Thames. There were two companies, the Kent Water Works Company and the New River Company which did not supply that water. The Kent Company's water was altogether drawn from chalk wells south-east of London, and the New River Company's water to a great extent from the chalk springs which formed the head waters of the River Lea; and though it was in part taken from the Lea itself, where the river was open to suspicion of contamination, yet, on the whole, the water supplied by the New River Company and the Kent Company would bear examination. But the East London Company, the Chelsea Company, the West Middlesex Company, and the Grand Junction Company, which supplied London north of the Thames, and the Lambeth Company, and the Southwark and Vauxhall Company, which supplied the South of London, obtained their water either exclusively from the Thames, or, in the case of the East London Company chiefly from the polluted portion of the River Lea. The Chemical Commission, which consisted of Professors Graham, Miller, and Hoffmann, in their Report, presented to the Home Office in 1851, mentioned the great disadvantages of this water supply in the following order: — first, its fluctuating temperature; secondly, its turbidity after floods, shown by the yellow flood tinge of the Thames, with which they were all acquainted; thirdly, its vegetable discolouration during the autumn, which rendered the processes of the laundry very much more difficult; and fourthly, that its source was the main drain of a populous district. He (Mr. Kay-Shuttleworth) objected to such a supply, and could state fearlessly that such water was a great cause of diarrhœa, cholera, and typhus fever. He would not rest that statement on his own authority. In the evidence which Mr. Simon, the Medical Officer of the Privy Council, gave before the Royal Commission on the Water Supply, he was asked—

> "Have you any idea of the outbreak of cholera in any part of London having been caused by the quality of the water?"

Mr. Simon replied—

> "It is, I think, a matter of absolute demonstration that in the old epidemics, when the south side of London suffered so dreadfully from cholera, the great cause of the immense mortality there was the badness of the water supply then distributed to those districts of London. In the interval, between the 1849 epidemic and the 1854 epidemic, one of the two companies which supply the south side of London had amended its source of supply—it had gone higher up the river—and we at once lost a part of the mortality on that side of the river. But it was found that this great difference did not prevail uniformly through the south side of London, but was confined to those houses which were supplied by the improved water supply. There was still great mortality on the south side of the river, but this belonged exclusively to the houses which were still supplied with impure water."

Mr. Simon called this "a gigantic crucial experiment performed on 500,000 people," and gave details which showed that whilst the cholera death rate per 1,000 was greater in 1854 in the houses still supplied with impure water than in 1849—13 instead of 11·8—in those supplied by the new water it had sunk from 12·5 to 3·7. But he could give more recent evidence of the assertion he had made, that this pollution was a great cause of cholera. He would take the case of the epidemic of 1866. In order not to weary the House with quotations he would simply give what Mr. Simon said on the subject in his evidence. He said—

> "As is now a matter of notoriety, within the area of another water company in London the population last year [that was in 1866] suffered very dreadfully from the cholera; I refer to certain eastern parts of London. Cholera in high development was confined to those parts of London, and those parts of London were in the area of one water company. And what makes the case the more remarkable is that not the whole area of that water company suffered; the water company gave two waters, and the high cholera mortality was apparently restricted to those parts of London which received one of these two supplies: so to speak, to half the district of the East London Water Company. The source from which the company

> supplied this half of its district was a source peculiarly exposed to contamination from a foul part of the River Lea. The contamination was sewage. Speaking broadly for the whole Metropolis, the area of intense cholera in 1866 was almost exactly the area of this particular water supply, nearly, if not absolutely, filling it, and scarcely, if at all, reaching beyond it."

He knew it would be said in answer to that statement, that the Committee, which was presided over by the right hon. Gentleman the First Commissioner of Works, made a Report which completely whitewashed the East London Water Company. But he thought the combined testimony of the Registrar General, Dr. Farr, and Mr. Simon, and almost every other medical authority who knew anything about the subject, would outweigh the opinion of that Committee. The danger to the population from polluted water was not confined to cholera. Sewage pollution of water produced many other fatal diseases, and they knew that typhoid fever especially had been frequently traced to the drinking of polluted water. An interesting case occurred at Guildford in 1867, where a high and healthy part of the town was for a single day in August supplied with water out of a particular well. About 500 cases of typhoid fever occurred immediately afterwards, and there were 21 deaths. In all those cases, except three, the persons stricken had on that particular day drunk water from that particular well, and on examination it was found that sewage had made its way from a neighbouring sewer into the spring which fed the well. It might be said that the Thames Conservancy Act would purify the London water; but the fact was that the Thames was more polluted than ever. It might also be said that a River Pollution Bill, based on the Report of the Commission on the Pollution of Rivers, might be passed, which would mitigate the mischief to a great extent. But although that legislation was most desirable and most pressing, and though they might make rivers look decently clean, might get rid of smells, and improve them sufficiently to enable fish to live in them, yet the Rivers Pollution Commissioners told them, in their first Report, that—

> "No process has been yet devised of cleansing surface water once contaminated with sewage, so as to make it safe for drinking."

The sewage of Oxford, Reading, and Windsor might be purified, so to speak, by filtration or irrigation, and admitted into the Thames; the Commissioners, speaking of this purified sewage, said—

> "Although this water cannot be used for domestic purposes without great risk to health, it is so bright, colourless, and sparkling, and contains, moreover, such a minute proportion of organic matter, that the most fastidious could not object to its admission into running water."

That was in their first Report; but in their third Report they said—

> "The use, for domestic purposes, of river water to which sewage (even after deodorization or employment in irrigation) gains access, and of that pumped from shallow wells in populous districts, ought to be carfully avoided, since the analyses which we have made of very numerous samples of water from such sources, in various localities, have rarely failed to reveal in it the presence of organic matter of disgusting origin; and we have proved in our first Report (1870) that no possible length of flow in any British river affords any guarantee that such sewage or organic matters have been oxidized and destroyed."

And they then went on to use strong language, which, however, under the circumstances, he (Mr. Kay-Shuttleworth) thought he was justified in quoting. They said—

> "If it be admitted that it is disgusting and dangerous for man to drink water containing his own excremental discharges, it is our deliberate opinion that all water which is intended for domestic purposes should be intercepted either by reservoirs, conduits, or deep wells, before it reaches the beds of sewage-contaminated rivers."

The conclusion to which he wished to draw the attention of the House was that they should go either to heads of rivers or to springs from pure sources for their supply, and that they should not go to a river after it had passed through populous towns and had been polluted by sewage. He knew it would be argued that any sewage thrown into the Thames was destroyed by oxydation after a flow of a dozen miles in the river, and he was aware that Dr. Letheby had given evidence before Committees and Commissions tending to that conclusion. But Dr. Letheby was not an independent authority. He had for many years been the analyst of the water companies, and his evidence must be looked upon as having been given with a certain bias; and, when one found that it was in direct contradiction to that of great authorities, he thought they might safely disregard it. What did Dr. Frankland, in his evidence before the Royal Commission on Water Supply, say? He was asked the following question:—

> "Then you do not accept the theory that sewage travelling down the river is so oxidized, as it passes a distance of six or seven miles, and is so entirely destroyed that its original elements are not to be found, but it is converted into some other substance or substances which are not detrimental to human health?"

And he answered—

> "I believe that that is by no means a generally true proposition. I believe that, under favourable circumstances, that effect may be produced as far as regards the dead organic matter in the sewage, but not at all as regards the living germs that may be present in that sewage."

And Sir Benjamin Brodie, the Professor of Chemistry at Oxford University, entirely confirmed that view. He replied, in answer to a question—

> "I think what is stated by Dr. Frankland is true—that there are no known causes in operation on which we can adequately rely to remove the sewage from the water."

And Mr. Simon was asked—

> "Supposing that sewage is discharged from one of the sewers—say at Windsor—would it be possible to detect the presence of that sewage seven miles lower down the river, having regard to the volume of water in the river?"

He answered—

> "I believe it would be absolutely impossible for chemists to discover it; but the practical sanitary question is different.
>
> "Supposing tape-worm eggs to be sent into the river with that sewage, would those tape-worm eggs be alive seven miles down, and assuming (which is a frequent pathological opinion) that the respective contagia of typhoid fever and cholera are living germs, would those germs be alive seven miles down?—I cannot say they would not;"

and he added, that he could only detect them by their effects. Dr. Farr gave similar evidence. Mr. Simon further said—

> "I think the rule ought to be that no sewage should go into any water that can be used for drinking purposes. I think even that allowance should be made for the proper decent taste of people. Water into which sewage has been discharged is, in relation to the matter now under consideration, an experiment on the health of the population, and I do not think that that experiment ought to be tried. I think the drinking of such water is dangerous."

Now, they had been trying that dangerous experiment for many years, and they ought not any longer to continue it. The population of the Thames basin in 1867 exceeded 1,000,000 persons. Oxford, Reading, and Windsor, and many other towns and villages, drained into the Thames, and whatever might be done by filtration, that water could not, in his opinion, be made fit to drink. Whatever they might do with the ordinary sewage of a town, supposing he were to admit, which he did not, that they could by irrigation, deodorization, and purification, render it unobjectionable, yet they could never prevent flood waters washing in vast quantities the sewage or manure from the towns or from the land, and that alone would render the Thames water very unfit to be a source of water supply to the Metropolis. Mr. Simon, in his Report on the cholera visitation of 1866, after asserting that an Englishman who contracted cholera might be said with almost absolute certainty to have received it from cholera sewage, laid down two local conditions of safety—the one that all fæcal impurities should be promptly removed—the other that water supply should be derived from such sources and conveyed by such channels that its contamination by excrement should be impossible. He had said enough in condemnation of their present system of water supply from the Thames. But it would be his duty to offer some alternative plan or plans, whence they might derive a sufficient supply of pure water for their population. Now, the Royal Commission had before it several alternative plans. First of all, there were plans for obtaining water from mountainous districts. Mr. Bateman had a plan for bringing a vast supply from North Wales; Messrs. Hemans and Hassard proposed to procure a supply from the lakes of Cumberland and Westmoreland; Mr. Hamilton Fulton had a plan to bring it from the River Wye in Mid Wales, and Mr. Remington proposed to bring it from the hills of Derbyshire. One very serious objection to those schemes was that of expense. That of Mr. Bateman would involve an expenditure of £10,850,000. Another argument was urged against them — namely, that the water would have to be carried in such large open conduits that the supply would be liable to interruption in frosty weather, and possibly, if ever they should have the misfortune to be at war, and to have an enemy on the soil of England, which was a contingency that Englishmen very seldom contemplated, they would be exposed to the risk of having their water supply for London cut off. He dismissed those plans with less reluctance since there were other sources than mountainous districts from which an excellent supply might be obtained. The water in the chalk round London had been frequently proposed as a source of supply. The chalk strata in the neighbourhood of London were a formation extending over more than 2,000 square miles. It was stated by the Commissioners of 1851 as being 3,000 square miles in extent. The strata varied from 500 feet to 1,000 feet in thickness. The Water Supply Commission stated this and added—

> "Almost all the rain falling on the surface is absorbed or percolates through the fissures of the chalk, and so close is its texture that the bulk of the rain takes weeks and months to filter down to the level of the water-line in the interior of the chalk hills, a line the depth of which below the surface of the ground may vary from 100 to 300 feet, according to the height of the hills."

Considering the quantity of water which the chalk formation could hold, the House would not be surprised at hearing, on the estimate of an eminent engineer—Mr. Homersham — that there would not be the slightest difficulty in getting 10,000,000,000 gallons a-day for the supply of London. Already, he might remark, the towns of Brighton, Croydon, Hull, Portsmouth, Chatham, Gravesend, Canterbury, Winchester, and many other towns, derived their whole supply from the chalk strata, and the Water Supply Commission reported that the highest demand that need be reasonably looked forward to for the metropolitan supply on the constant system, with a population increased to 5,000,000, was 200,000,000 gallons a-day, being only one-fiftieth part of what Mr. Homersham said that the chalk would yield. The Royal Commission on Water Supply, in their Report of 1869, said—

> "With natural subterranean reservoirs extending over above 2,000 square miles, a storage reserve is provided comparatively independent of the seasons, and maintained by the ordinary operations of nature, while no filtration can equal that effected through masses of sand, sandstone, earthy limestones or chalk, from 50 to 300 feet thick. The quantity of mineral matter taken up is, in most cases, moderate, while the really objectionable ingredient—the organic matter—is reduced to a minimum. At the same time, the water is kept at a uniform low temperature, and protected from light and air—conditions unfavourable to the existence of living organisms. Springs from such sources probably represent potable waters in their best state; and amongst the favourable specimens of such waters may be instanced many chalk springs, the water from the lower chalk at Caterham, and some of the springs of the lower greensands of Surrey."

It had been urged, as a great objection, that this water from the chalk was very hard water. He did not doubt that there were great inconveniences in hard water; but the hardness of water depended on the presence in solution of carbonic acid and carbonate of lime or chalk. Now, a very simple means had been invented by Dr. Clark for the removal of that hardness. It consisted simply in adding lime, which combined with the carbonic acid, increasing the quantity of chalk, which, however, was insoluble in water not containing free carbonic acid. Thus all the chalk was precipitated and removed from the water. The cost of that process was inconsiderable; and as the water was perfectly filtered by passing through the chalk, the expense of other filtration would be avoided. The Chemical Commission of 1851 said, at the conclusion of their Report—

> "The inhabitants of London appear to have within their reach, in these chalk strata, a supply of water which is asserted on good authority to be inexhaustible, and which may be considered as everywhere of a uniform composition and quality. After having been softened, it is an extremely pure water. The chalk water alone is uniform in its excellence at all times, the sources of it lying beyond the influence of weather or season. In the judgment of the Commissioners, this softened chalk water is entitled, from its chemical quality, to a preference over all others for the future supply of the Metropolis. The water recommended appears to approach most closely to the standard of all that is excellent in a town supply, and is worthy of the greatest efforts and grandest works to procure and convey it; but the sources are near at hand, and the water is attainable without difficulty or great expense. It is our deliberate opinion, which we would enforce in the strongest terms, that the much desired and most necessary improvement in quality of the London water is associated with these sources of supply, and will depend upon their proper application to the uses of the public."

Another advantage of this chalk water was its temperature. The temperature of chalk water was uniform at about 51° Fahrenheit in summer and winter. Therefore it was pleasantly cool in summer, and it did not freeze in winter. It would not alter its temperature appreciably in passing through pipes and mains on the constant system, because it would not take more than 18 hours in its passage from the depths of the chalk basin to the mouth of the consumer. He now came to the estimate of the cost of the chalk supply to London. The present supply to London from the chalk was about 20,000,000 gallons a-day by the Kent and New River Companies, and Mr. Homersham said the cost of wells, bore-holes, and works to procure a further supply of 100,000,000 gallons a-day would not exceed £200,000, and that might be considered an outside estimate; and he said he would guarantee to procure a supply of double that quantity—that was, of 200,000,000 gallons a-day for £400,000, and that he also considered an outside estimate. And in support of that estimate of Mr. Homersham, which might appear to them somewhat startling, he (Mr. Kay-Shuttleworth) might mention that the total cost of 600,000 gallons a-day for Plumstead was only £2,500, and that the total cost of procuring a supply of 1,200,000 gallons a-day was only £700 or £800 more—namely, £3,500—and that the cost of increasing the Brighton supply from 800,000 gallons to 2,500,000 gallons was about £3,000. And now as to the cost of the softening process. That took the place of the filtering process, and it must be remembered ought to be applied to their present Thames water, which was nearly as hard as the chalk water. Mr. Homersham's outside estimate of the cost of structural works for softening water in covered reservoirs was £6,000, for 1,000,000 gallons; and therefore, for 100,000,000 gallons a-day, their present supply, the cost of those structural works, the initial cost, would be £600,000. And he was advised by persons competent to form an opinion that they considered this a very excessive estimate. Besides the expenses at starting for the softening of the chalk water, there would be the cost of lime and labour. The expense of lime would be about £1 per 1,000,000 gallons, and that of labour about 7*s*. per 1,000,000 gallons, making a total of £1 7*s*. Mr. Simpson stated that £1 per 1,000,000 gallons would be a nearer estimate, and Dr. Frankland went still lower, and stated the current expenses at 15*s*. per 1,000,000 gallons. But perhaps the best estimate was that of the Chemical Commission of 1851, who calculated that the additional cost for softening the water would not amount to more than 2 per cent on the present price of water, and some return would be obtained for the lime used in the process, for Mr. Homersham estimated that the precipitated chalk would be sold at 15*s*. or 16*s*. per ton. In any case he thought the expense of softening the water ought to be incurred even for their present Thames water, as by softening the water a vast outlay would be saved in the expenditure of soap. The saving of soap in Glasgow, after the introduction of Loch Katrine water, was fully one-half. The question, as affecting laundries and the washing of linen, was important. They spent a great deal more in the washing of their shirts than they did in buying them. The total expenditure for soap in London was £1,000,000 a-year, and according to Mr. Bateman's estimate £500,000 would be saved by the use of soft water. Even supposing that estimate to be exaggerated, some £100,000 or £200,000 might be saved, which would more than cover the cost of the softening process. There would also be an economy in wear and tear, as the linen would be washed without the use of any chemicals. He now came to the second part of his Motion, which dealt with the way in which water was delivered. At present the water was supplied on the intermittent system, which stinted the supply of one of the chief necessaries of life, and occasioned great loss, since fires could be far more promptly extinguished under a system of constant supply. The constant supply system would save the expense of putting up cisterns in new houses, and lessen the liability of pipes to become frozen in winter. But the great objection to the intermittent principle was that water kept in cisterns was liable to contamination from soot, dust, filth from insects, vermin, sparrows, and cats; stench from adjoining cesspools, and smells from the waste-pipe. It was often stored in dirty, mouldering, coverless butts. The evidence of Mr. Simon, and of all the authorities before the Water Supply Commission, showed that an intermittent supply could not be defended. Even if the cisterns were ever so clean, the long retention of the water in them made it very disagreeable to the taste. It was most undesirable that men should be forced to the gin-shop and the tavern for want of pure and agreeable water. All the scientific and medical authorities, all the Commissions reported in favour of a constant service; and the supply of water on that system had been successfully carried out almost in every large town of the United Kingdom. Indeed, it was quite exceptional to find a town with an intermittent supply; and London was therefore conspicuous for its disadvantages both in the quality of its water, and in the mode of its supply. In London the average consumption of water per head per day on the intermittent principle was 32 gallons. In Plymouth, Devonport, Shrewsbury, Oxford, and other places on the same principle, it was 30 gallons or more. But the average consumption in the large manufacturing towns of Lancashire and Yorkshire, including that for trade purposes, was only from 16 to 21 gallons on the constant system. In Manchester, the consumption for domestic purposes was only 14 gallons on the constant principle, less than half of the total consumption in London. In Mr. Bateman's opinion, the normal requirements of the inhabitants of the Metropolis, even including a large supply for baths and water-closets, which were great sources of waste, would be met by from 15 to 20 gallons per head per day. It was urged that under the constant supply the pressure was so great on the pipes that they would burst; but he maintained there was greater pressure under the intermittent system, where the pipes were idle for the greater part of the day, and then were suddenly put to a great strain and pressure for a short time, having to force water to the tops of houses. Mr. Bateman had never known pipes to burst in consequence of a constant supply. It was said that there would be great interruptions during repairs. But Mr. Bateman said complaints of such inconvenience were never heard of in towns where the supply was constant. He also said that the introduction of the constant supply into Manchester had reduced the amount of property destroyed by fire from 21 to 7 per cent, and increased the amount saved from 78·6 to 93·2 per cent; and Captain Shaw, chief officer of the Metropolitan Fire Brigade, said that by the use of constant high-pressure service the quantity of water used in extinguishing fires would be greatly reduced, and being applied at an earlier stage of a fire would be far more effective than a large quantity later. It might be urged against his proposal that it would create considerable alarm in consequence of the increase of rates which it would cause; but that objection was not difficult to meet, by the experience of other places. In Manchester the supply had cost £1,780,000, and in Glasgow £1,600,000, the result being that in Manchester the water rate was a great deal less than formerly, whilst in Glasgow it was no greater. Mr. Bateman gave the Water Supply Commission the following estimate as to his own plan—

> "The people of London could be supplied, after the expenditure of nearly £8,000,000, with the softer water of Wales at a rate of 10½*d.* or 11*d.* in the pound on the rateable value. These rates are much lower than those charged for the supply of the hard water of the Thames."

He might quote comparative statements of the outlay actually incurred in several large towns for improved supplies of water, including compensation to old companies—Glasgow, £1,600,000; Manchester, £1,780,000; Liverpool, £2,000,000; Birkenhead, £320,000. The Water Supply Commissioners said that the proportionate outlay for London would be more than £25,000,000 on the basis of the assessable value of the dwelling-houses; but great as was that expenditure, he maintained that they should not shrink from it, if the result be that they obtained a pure water supply for the Metropolis. But such an expenditure was not necessary, and the cost to be incurred would be much less. The hon. Gentleman concluded by moving his Resolution.

DR. LYON PLAYFAIR: I congratulate my hon. Friend (Mr. Kay-Shuttleworth) on the ability and knowledge which he has displayed in introducing this important subject to the attention of the House. If I do not follow him very closely in regard to the sources of supply to which he has directed our attention, it is because I prefer to accept the challenge of the Secretary of State to make this discussion one upon the subject of the Bill which is to be presented to us for a second reading tonight. I suppose he thought this Motion would serve as a conduit pipe for the flow of our ideas on the subject-matter of his Bill, and I think he is right. As I cannot technically discuss a Bill which is not formally before us, I shall confine myself to its general scheme, and especially to its Preamble, which professes to secure "a constant supply of pure and wholesome water." Parliament is perfectly justified in imposing any restrictions on the water companies, for though they are private commercial ventures, yet they enjoy a monopoly gigantic and complete. The supply of gas is a monopoly also; but in no sense so complete as that of water. If I am discontented with the gas, I cut it off, and illuminate my house with oil or candles. But I am bound, hand and foot, to a water company, for the wells and pumps of London afford us only the filterings of cesspools, sewers, and churchyards. It has been said that the money interest of the companies, involving a capital of £10,000,000, is sufficient to ensure proper quality in the supply. This is contrary to the history of the whole subject. I need not go so far back as 1827, when a water company's director, in a fit of death-bed repentance, published a famous pamphlet to atone for his sins in supplying 7,000 families with poisonous water. I have in my hands a Parliamentary Paper of 1856, in which the medical officer of the Privy Council, referring to the cholera epidemic, two years before, speaks of one water company as

> "Purveying the filthiest stuff ever drunk by a civilized community. . . . Contaminated with the out-scourings of the Metropolis, and containing unmistakable molecules of excrement."

Finding the necessity of improving the quality of supply thus neglected by commercial venture, this House, ever since 1828, has had numerous Select Committees, and has passed various Bills for the protection of our teeming population. And now this Bill is intended to fulfil the recommendations of the later inquiries, especially those of the Select Committee of 1867, presided over by the First Commissioner of Works (Mr. Ayrton), and of the Royal Commission of 1869. London is not now polluted with such water as it had during the cholera epidemic of 1853-4, for the Act of 1852 obliges the water to be drawn from above Teddington Lock. But even above this source of supply, there is a watershed of 3,656 square miles, securing the main part of the excrementitious drainage of 860,000 human beings, besides the manurial drainage of 2,250,000 acres of land. London has already spent £6,000,000 to get rid of its own filth, and when this Bill asks us, possibly at least, to spend twice as much more for the regulation of the water supply, it is not too much to inquire whether it gives us security that the water shall not contain the filth of the towns and villages above us. Yet, in fact, the Bill which requires the Board of Works to secure pure and wholesome water to the Metropolis gives to that Board no power to do so, for they are made the mere distributors of water, even when they purchase the companies, and are not associated in any way with the conservancy of the two rivers, the Thames and the Lea, which supply seven out of the eight water companies. No doubt there are the Acts of 1866 and 1868, by which these rivers are put under conservancy; but it depends wholly on the manner in which these Acts are carried out whether either the companies or the Metropolitan Board of Works can give us unpolluted water. Yet, with the usual fragmentary and chaotic form of our sanitary legislation, these Acts are not even mentioned in the Bill. If the conservators of the Thames and Lea do not properly scavenge the surface of their rivers, and divert the sewage of the towns and villages on their banks, the Bill cannot give to us pure and wholesome water; and we must be content to drink, as heretofore, our share of the excrements of 660,000 human beings. My hon. Friend was perfectly right in pointing out the erroneous conclusions drawn by the Royal Commission as to the spontaneous purification of the river. I may be permitted to profess knowledge on this subject, as the Royal Commission itself has done me the honour to quote largely from my evidence. But I prefer to support my views by the direct experiments made by the Rivers Pollution Commission, which has proved beyond doubt that the dissolved filth of a river is destroyed with extreme slowness and uncertainty. The Metropolitan Commission chiefly rested their conclusion on the apparent purification of the Thames after its junction with the Kennet below Reading; but they were ignorant that these rivers are not effectually intermingled until they reach the rapids at Sonning Bridge, and they mistook the dilution of the impure Kennet with the purer water of the Thames for a process of self-purification. At all times such purification is slow and uncertain; but in epidemic periods, such as typhoid fever, scarlet fever, and cholera, there is no evidence at all that the actual seeds of disease are destroyed, as inert sewage matter is by simple oxidation, or burning up by the air in water. The excrementitious matters of sewage in such epidemics have intensely infectious properties, and there is a large experience to indicate that rivers thus polluted are powerful means of spreading diseases through the water-drinking populations on their banks. At all events, in typhoid fevers and cholera the experience is as large and decided as one can expect to attain. Yet in this Bill the whole sanitary conditions of the subject are left in disorganized disassociation. You tell us that we are to have pure water by this Bill, and yet those who are intrusted with the scavenging of the surface of the rivers, and with the prevention of its pollutions by sewage, are wholly disassociated from its distribution. You do make a junction of importance when you bring in connection with the water companies, which control the inlets of water, the Metropolitan Board, which has charge of its outlets. This is more important than is at first apparent; but, even here, we have only a fragmentary reform, for though that Board controls the main drainage, the branch drainage is under the management of the vestries, and they have shown little intelligence on the question before us. So that even when we pass this Bill, see in what an unsatisfactory position we stand by our piecemeal legislation. There will still be eight water companies, two Conservancy Commissions, a Metropolitan Board of Works, and numerous vestries—all of whom should be consolidated in any general scheme which is sufficient to secure the health and comfort of this great Metropolis in its relations to one of the two great necessaries of life. The Preamble of the Bill is too ambitious. It will not, if passed, assure to us wholesome and pure water without further consolidation; but it may secure a constant supply of such water as the Conservators of the Thames and the Lea send down to the water companies. Is the necessity for a constant system of supply, as distinguished from an intermittent system, so important that we should accept this Bill as another fragmentary instalment of sanitary reform? I have no doubt on this subject, for a constant system of supply is an immense gain to the community. The present intermittent system requires that each house shall store water in a cistern of sufficient capacity to ensure a supply during those hours when the water is cut off from the pipes. In the houses of the wealthy this is a mere question of cost, for they take care that the storage room is ample and sufficient for all their wants. But in the houses of the poor the case is altogether different, for they possess neither money to erect large cisterns nor space to afford for them. In order to economize cost and space, the smallest possible store cisterns are used, so that the poor are stinted, and even practically defrauded, of their fair share of the water supply, which amounts in the Metropolis to an average of 32 gallons daily. It is not only by reducing the quantity, but by largely deteriorating the quality of the water, that cisterns act injuriously. The waste-pipes of the cisterns are connected with the sewers, and very frequently by an untrapped communication. At all events, I can testify that this untrapped communication existed in a house which I recently bought in town, and that the same thing was found in the houses of two of my friends, one of whom had typhoid fever in his family in consequence. If this sanitary evil is found to prevail in dwellings such as Members of this House occupy, we may be certain that it is common in houses of the poor. Under such circumstances, the sewer gases find their way into the cisterns and become absorbed by the water, which is thus rendered unwholesome both for potable and culinary purposes. Besides this common source of evil, the water in a poor man's house is often fouled by the unventilated air of the dwelling, and is rendered hot and unpleasant for drinking purposes. If any hon. Member will go into a poor tenement, and draw some of the hot and vapid water from the cistern, cask, or tub, which forms its substitute, often resting upon, or in close proximity to, the most objectionable places, he will understand how it is that the poor so often resort to other beverages than water. At least, one of the West-end vestries has petitioned this House to reject the Bill, because it proposes to ensure a constant system of supply. They forget that this is not a rich man's question, but a poor man's question. In large wholesome dwellings, with plenty of space and air, the intermittent system of supply is sufficient for health and comfort. But the constant system, offering always cool, well-filtered water, not fouled by keeping, is of vital importance to the poorer classes. But it must be given freely and without stint. I read the evidence of a water company's official in the Blue Book before me, which filled me with indignation. He coolly proposes to introduce constricting rings into the delivery pipes for houses of the poor, so as to diminish the supply afforded. If these are to be the tactics of any company, the sooner they are absorbed by a public Board the better it will be for all of us. The greatest sanitary law for large cities is contained in the few words addressed to the leper of old—"Wash, and be clean," and nothing should stand in the way of the poor from obeying this law. The constant system of supply, apart from such dodges as constricting rings, gives the best conditions for its observance. By it, water is delivered fresh and unfouled by vitiated air. As it does not involve the necessity for cisterns, the cost of its introduction to a poor tenement is insignificant. Water is always present, and is never cut off as now on Sundays, the very day when the poor require it most. At present, in most districts, the Saturday morning's supply has to last for 48 hours, on the very two days when abundance is most needed; and, as a poor man's house has no room for large store cisterns, the absence of supply becomes an intolerable evil. I need not stop to remind the House of the palpable advantages which the constant system offers in cases of fires. It may be sufficient to state that since Manchester has adopted it the amount of property saved, after having actually taken fire, has gradually risen from 60 to 97 per cent —a result, if only attained in a distant degree in the Metropolis, that would reconcile us to a very large expenditure. Recognizing then, as I do—and as all men must do who have considered this question in a public point of view—the immense advantages of the constant system of supply, I would accept this new instalment of sanitary reform with gratitude, fragmentary though it be, if I felt assured that the Bill was powerful enough to achieve its purpose in this respect. But even here I have misgivings. We have already intrusted considerable powers to the Board of Trade by the Act of 1852; but many of the reforms then indicated remain unachieved. Clause 4 of that Act renders efficient filtration compulsory on the companies; and yet I hold in my hand a Report from a competent authority, which tells me that one company, at least, has delivered water on various occasions, during the past year, in such an unfiltered state "as to be entirely unfit for domestic use." If the Board of Trade, with the powers of this Act, are unable in eight years to perfect such a simple and well-known process as filtration, I fear that the *vis inertiæ* of the water companies will be too great for the Metropolitan Board of Works, especially as there are real difficulties to contend with in changing from an intermittent system to a constant system of supply. Some difficulties are real, others are imaginary; but both will be formidable, when the interests of the companies are involved in magnifying them. No doubt there will be a large cost involved in altering fittings for the change. For as long as water is supplied by cisterns, the goodness of fittings is more a question for the consumer than for the company. But they must be made good to prevent waste of water, if it is to be on at all times and without cisterns. A public trust could make the change on better terms than the companies. A differential rate might be applied, lower for houses with good fittings and higher for those with bad, and a water police, with power to lower the rate, would soon bring about a cordial co-operation between the consumers and the public trust. When the fittings are properly adjusted, all experience shows that there is greater economy in the supply on the constant than on the intermittent system. On the intermittent system you turn a cock, and, finding no water, leave it open, and the water, when it comes, is wasted; but on the constant system no such negligence is likely to occur. There is little doubt that, with a well-managed system of constant supply—taking the experience of Manchester, Norwich, Wolverhampton, and other towns—you might reduce the average consumption in London by one-third, and this saving would enable you to introduce water into many separate poor tenements which now depend upon some common stand cock. The

Government have, I think, committed a grave error in abandoning the compulsory clauses of purchase which they introduced, wisely and advisedly, into their Bill. They had ample justification for their bold step; but none, that I can see, for retracing it. It is true that they may plead the Report of a Select Committee of this House in 1867, which recommended that the companies should be united with a metropolitan public Board, and that this union should frame rules for controlling the house arrangements. But the Royal Commission reported, in 1869, against such an arrangement in the following terms, with which most of us will agree:—That it "would be difficult for such a complex arrangement to work satisfactorily." Yet this is the state in which we are landed by the withdrawal of the compulsory powers of purchase. The Royal Commission recommended most strongly the course which the Government originally took, and which they now abandon. In their Report of 1869 they say—

> "The constant supply cannot be effectually introduced in London so long as the supply remains in the hands of private companies, to whom it would be inexpedient to confer the great powers necessary for this purpose."

This is, in fact, a reiteration of the recommendation made by the Health of Towns Commission in 1846. Well, why have the Government yielded to timid counsels? They are only postponing the evil day. Had the Government bought the companies in 1856, as proposed by the General Board of Health, they would have probably purchased their interest at £4,000,000 less than they will have to pay now. The companies try to frighten us by saying that the cost of changing the intermittent into a constant system will be £1,500,000. It undoubtedly will be large; but in no way could it be more costly performed than by eight distinct companies, with their separate engineering staffs and management. The Bill loses altogether the advantages and economy of consolidation. It actually goes out of the way to defeat these advantages by the separation of accounts, and by treating each company's work, even when bought, as a separate unit. In 1851, when this subject was before this House, the economies from consolidation were estimated as being at least equal to £90,000 per annum; and they must now be still greater. The sum capitalized would have been more than sufficient to change the intermittent to the constant supply without increased cost to the ratepayers. The supply of a first necessary of life, like air or water, is a most unfit subject for commercial speculation. In the ancient history of the kingdom, the supply of water was always considered a public duty, and the violation of the trust was first committed in the case of London, when it contracted with the New River Company. Following our bad example, other towns ceded the supply of this necessary of life to commercial adventurers; but, as the Records of the House show, they have been rapidly coming back to us to obtain powers for purchasing the private companies. In almost all such cases they have changed the intermittent into a constant system. London stands almost alone among great cities in adhering to the antiquated system. Our fragmentary way of dealing with great hygienic subjects has grown into an intolerable evil, and with the Report of the Sanitary Commission before them, I think the Government might have offered us a bolder Bill. Yet it is only fair to admit the difficulties of their position. Any hon. Member who has read a Parliamentary Paper, with a very uninviting title—the Report of the "Shoreditch Improvement Bill"—will learn with regret that the Metropolitan Board of Works takes little cognizance of the necessities of the Metropolis as a whole, but is easily influenced by the clamant demands of particular vestries. The latter have shown small interest in obtaining a constant supply of water for the Metropolis, and as they seem to be the springs of action of the Metropolitan Board, and as this Bill continues to keep them so, I fear that the Bill, when it becomes an Act, may be as little effective as the Act of 1852, which also had provisions for constant supply. Doubting the efficiency of its machinery, the Government may have disliked to ask for larger powers till it got a better system of local government for the Metropolis. In sympathy for their difficulties, I shall vote for the second reading of the Bill when it comes before us; but I do not conceal from myself, or from the House, that a subject of this magnitude, affecting, as it does, the health and habits of a population almost equal to that of a nation, deserves a larger and bolder treatment than it receives in this Bill. Whether the Bill realizes its purpose or not, it records our opinion that London should no longer stand almost alone among large cities in adhering to the antiquated and unhealthy system of an intermittent supply of water, and that the supply of such an important necessary of life should be regulated, and, I think, should altogether be performed, by a public trust, and not by commercial venture.

Motion made, and Question proposed,

"That, in the opinion of this House, the Water supplied to householders in London should be derived from pure sources, and should be delivered on the constant system."—(*Mr. Kay-Shuttleworth.*)

Mr. CLAY said, the hon. Member for Hastings invited the House to affirm two propositions. The first was that the water supply of London should be taken from pure sources. It would be difficult to get a more simple proposal, or one that the House would be more inclined to regard with favour. But it was asserted that the quality of the present supply of water to the Metropolis was prejudicial to health. They must remember, however, that in 1867 and 1869 there were two exceedingly painstaking and accurate inquiries, in which men of known science assisted, and he thought he had a right to say that such facts as were elicited by the Committee presided over by the Chief Commissioner of Works, and by the Duke of Richmond's Commission, ought not to be altogether ignored. First, with regard to the Report of the right hon. Gentleman's (Mr. Ayrton's) Committee—it said that the quality of the Thames water might compare advantageously with the water of any other town; and in the Report of the Royal Commission there was no evidence to lead them to believe that the water supplied by the companies was not generally good and wholesome. Those statements were the result of the most careful investigations, and the highest science that could be obtained, and it did appear to him that if his hon. Friend wished to upset the Reports of the Committee and the Commission, his proper plan would be to ask for another Committee or Commission, by which he could prove that the statements he had made that night rested on the highest authority. At present his statements must be accepted with less deference than the Reports of the Committee and the Commission. His hon. Friend had proposed a substitute for the Thames water; but his idea was not new, and, if it be adopted, it should be only adopted upon high authority. Now, the Royal Commission, amongst other things, reported with regard to the supply from the chalk districts. It did not agree with those who contended that an unlimited supply could be obtained by simply tapping the chalk; and it went on to say that, if a supply could be obtained, it could only be done by subtracting from the supply of it to the rivers. Now, would it be a considerable benefit if, by supplying London from such a source, they were to dry up the rivers? However, let his hon. Friend prove his case. Let them have a Commission, and then they would see whether, if his hon. Friend got his supply, he did not dry up all the neighbouring small streams. He would not, he (Mr. Clay) believed, wish to dry up the Thames, because that was not potable water. A great deal of evidence on that point was taken by the Royal Commission, as to the difference between chalk water and Thames water for drinking and other purposes, and many scientific men were examined, and the majority gave their opinion that one water was just as good as the other as to softness, some going so far as to say that the Thames water was decidedly the softer. They were, therefore, asked to express their approbation of the system of drawing water from chalk in direct opposition to those scientific men, and when they did get it, they must expose it to Dr. Clark's softening process. Now, supposing that 100,000,000 gallons was the daily consumption of London—which he believed was the amount stated by Dr. Frankland—he asked what would be the expense of softening such a vast amount of water as that. Dr. Frankland fixed it at 15*s.* per 1,000,000 gallons, but he (Mr. Clay) fancied he had seen an estimate for 14*s.* 7*d.* Mr. Homersham had, however, calculated the cost at 27*s.* per 1,000,000 gallons. He (Mr. Clay) had himself consulted an engineer, who thought it would not be less than 27*s.* He would, however, split the difference, and take 20*s.*; and, putting the expense of erecting the reservoirs for softening at £600,000, that sum, at 5 per cent, would give £30,000. They were asked to give an increased supply from this new and doubtful source, and to do it at a cost of £66,500 a-year. He did not say that the proposal was absurd; but he asserted that the hon. Gentleman was bound to establish his facts, and not to ask the House, in this casual way, to affirm his Resolution. There was another proposal, which had been gone into at great length by the hon. Member for Edinburgh, and which contained the principle of constant supply. That principle had been more than once alluded to. But he would rather prefer saying what he had to say respecting it when the Bill came before the House. In 1852 the water companies were obliged—and to his mind very properly obliged; he made no complaint whatever about that—but they were obliged to go up the river, and take their supply from where they took it now—namely, at Hampton. That necessitated a very great expense. But the companies fulfilled the commands of Parliament, as they had always done, within the time, with the utmost accuracy and without any complaint whatever being made against them. He was sorry, therefore, to hear complaints made by the hon. Member that such was the *vis inertiæ* of the water companies that they never would do anything. All he could say was, that he challenged the House to point out anything which Parliament had desired the companies to do that they had not done with the greatest accuracy. He would only say that if he spoke against the constant supply, he did not do so in any way as the representative of one or more of the water companies, but as a householder, and he should ask Parliament not to enforce it upon him.

Mr. GATHORNE HARDY said, that in the few words he had to say on this subject, he would not lead the House to suppose that he was not a party, to a certain extent, interested in this question. He was the inheritor of certain shares in the New River Company, which had not been attacked to-night, and, therefore, he was not going to address himself to any point connected with that company. But in consequence of that connection he had certainly taken great interest in the question of water supply, and he believed that he had, as far as possible, made himself acquainted with the whole of the evidence that had been given on the subject with reference to London. He could not help thinking to-night, as his hon. Friend the Member for Hastings was speaking, how easy it was for a counsel to bring forward a very satisfactory case. They knew that if in a Committee the opening speech of counsel was taken in the place of evidence, the decision of the Committee would be very simple and very easy. But when his hon. Friend proceeded with his case, and, quoting from Mr. Bateman and the other great authorities who had been examined before those different Commissions and Committees, said, he was not going to bring forward their scheme, but was about to back up a scheme of his own,—that of getting water from the chalk formation—then he (Mr. G. Hardy) could not help thinking how very improper a tribunal he was addressing with a view to inviting them to come to a decision upon such a question. The House of Commons was called upon to overthrow, at the bidding of a single Member, backed though he was by the hon. Member for the University of Edinburgh, conclusions arrived at by Commission after Commission and Committee after Committee; and they were asked to do that at once, and come to a conclusion upon the statement of one hon. Member in the House, without any reference whatever to any evidence that had been adduced upon this subject, as though none of the matters referred to had never been inquired into at all. He would venture to say that if the House would take the trouble to look at the extracts from the chemical evidence which were in the Report of the Royal Commission on Water Supply, they would see that chemists, like doctors, differed materially. They would see a great deal more than that. They would see that chemists of the greatest eminence were content to place their conclusions before the Commission by guess-work, and not from actual experiment. He ventured to say that there was not in that chemical evidence which had been pressed upon the attention of the House to-night one single instance of chemical analysis upon which they relied for the conclusions to which they had come. Look to the evidence of Dr. Simon. He was asked about the flow of the water through the soil, and whether he had formed any opinion as to whether the water taken from above Teddington Lock, and running 15 or 20 miles, would be safe water, and his reply was—

> "I should think it quite as safe water as regards the danger we are speaking of."

Then he went on to say that—

> "A speculative answer is not enough on this subject, and I can only give a speculative answer at present. I think the water would be harmless, but possibly the result might show that the water could not be deemed quite safe."

And that was the nature of the evidence of every one of the chemists. He (Mr. G. Hardy) took up the death-rate of different towns, and what did he find? That in the towns supplied with that beautiful soft water which the hon. Member for the University of Edinburgh alluded to, the deaths were 28 in 1,000, while in the towns where the people were supplied with hard water the deaths were only 22 in 1,000. He did not come to the conclusion that the water was the cause of death in each instance; but surely in cases where the chemists could not detect what existed in the water, it was just as unreasonable that they should come to the conclusion that the water was the cause of the exceptional death-rate in other parts of the country. But here they found a conclusion drawn by one medical man quite contrary to that drawn by another. When his hon. Friend told them that his wish was to disgust the House with the water drunk in London, he confessed he felt a little uncomfortable; for, when in London, a glass of water every morning and the last thing every night was what he had taken for many years past, and he had never experienced any of those dreadful and poisonous effects from it. There was a disposition, however, to attribute every evil under the sun to whatever beverage a man drank. If a man was pleased to drink beer, it was supposed to be adulterated; and if he (Mr. G. Hardy) were to be ill, his hon. Friend the Member for Hastings would probably attribute his illness to the Chelsea water, for he had the misfortune to drink Thames water, and had drank it for many years past. With respect to the cholera outbreak in 1849 and 1854, he would ask was, it owing to the water supply here. He did not say it was not. He had no means of knowing. All he wished to point out was, that the greatest possible difference existed amongst the doctors themselves on the subject; and he knew that the conclusion arrived at by the Committee over which his right hon. Friend the Member for the Tower Hamlets presided, and which was selected with great care, was, that the water was not the cause; at all events, that there was no proof that it was the cause. They went further, for having investigated the supply of water in London, they came to the conclusion that it was impossible to say that the Thames water was not a safe supply. He would refer to one passage on this subject which his hon. Friend the Member for Hastings did not read to the House. In 1867 the Committee reported that they were satisfied that both the quantity and the quality of the water supplied from the Thames was so far satisfactory, and that there was no ground for disturbing the arrangement made in the Act of 1852. His hon. Friend (Mr. Kay-Shuttleworth) said he threw over Dr. Letheby. Well, it was true that Dr. Letheby and others took different views from those of Dr. Frankland, and adopted different modes of dealing with the water. What conclusion did he (Mr. G. Hardy) come to upon that subject? Not the same as his hon. Friend, who threw over all those who did not agree with his own conclusions. He (Mr. G. Hardy) said that the chemists had not arrived at a definite solution of a great question, and that we ought to wait. He was quite content that those matters should be referred to a Committee, and to wait the result of further investigation. With respect to the question of compulsory sale, he had not a word to say against it. If they could find a public body who would and whom Parliament could thoroughly trust to deal with this great question, and if they thought the thing could be done better by a public body than by commercial bodies, he personally had no objection to substitute such a body for the water companies. But with respect to commercial speculation, let him remind the House that without that commercial speculation, beginning with the honest Dutchman who preceded Sir Hugh Myddelton, they would never have had anything like a water supply. Much also was due to James I., who did a successful thing in promoting the New River scheme, and in committing the whole management of it to the adventurers who took half the shares, so that to that day, though the Crown was no longer interested in them, the King's shares had no part in the management. With respect to Manchester, so far from the water of Manchester paying its way, he did not believe that it paid its way at that moment. He believed they took £12,000 a-year from the profits on gas, which was also in the hands of the corporation of the City of Manchester, to pay the expense of the water, and he had always thought it a most unjust thing that the supply of light should be taxed for the purpose of supplying other people with water. His hon. Friend talked of £25,000,000 for the Metropolis as if it were a mere fleabite. But what was the most remarkable thing in this whole transation was, that instead of the metropolitan Members coming forward to tax themselves for the benefit of their constituents, and with a view of affording a supply of water to the Metropolis, his hon. Friend complained that they cried out against the proposal. With respect to the chalk formation, he ought to speak favourably of it, for the company with which he had the good fortune to be connected by inheritance, got its main supply from the chalk, and very excellent water it was, no doubt. He noticed that his hon. Friend laughed when an allusion was made to the effect which might be produced from pumping too much from the chalk. But one of the greatest geologists in this country was a reverend gentleman whom he had had the honour of meeting on several occasions, and he knew he was consulted on these subjects continually. What did he say on this subject? He disapproved of obtaining water from the chalk. He said—

> "You would obtain a certain quantity, but it would be at the expense of the rivers. The rivers would cease to flow. When my advice has been asked, I have invariably said, 'Take the water which flows down above ground, and do not tamper with it below.' That is what I have invariably said, and I believe it is sound advice."

The Commission embodied what he said in their own words. Many years ago Mr. Napier, an engineer of ability, proposed to supply London with water from the Surrey sands. In the course of the inquiry into his scheme experiments were made as to softening the water, and it was found there were two kinds of softness, or rather hardness, one of which was permanent, and it was ascertained that water from the Surrey sands was of 6° of hardness. He (Mr. G. Hardy) believed that the water with which London was supplied was of 14° of hardness, but when it was boiled it was reduced to 6°—the same as the water from the Surrey sands. Therefore, when his hon. Friend put forward the advantage of soft water, he did not think his hon. Friend could remember the Report on Mr. Napier's scheme. In that Report he would find that the process of boiling water made the greatest difference possible. Thus they came to the necessity of using Clark's process, which he admitted to be one of the most beautiful known in science. But there was one great objection to it, independent of the expense. The process, to be effectual, must last 24 hours, and they could not duly supply so vast a place as London with water if so long a stoppage of the flow was necessary. It might be easily done in such a place as Canterbury; but just think of the enormous reservoirs that would be required for London. In fact, the delay, combined with the expense, would render it totally impossible. With respect to the points which had been put forward by the hon. Member for the University of Edinburgh, who said they had a right to impose conditions on a monopoly, he agreed with the hon. Member there, and he thought that the great water monopolies should be subject to conditions the same as railways or other similar large undertakings. He did not object to that on the part of the water companies. He thought it a fair subject for inquiry; but it must be remembered that the Act of 1852 was supposed to establish State control. He would now say a word with regard to constant supply. In the Act of 1852 it was provided that if four-fifths of the inhabitants of a district asked for a constant supply they should have it, and it had never been applied for up to the present day. With respect to the poor, he knew that several of the companies had made great efforts to supply them, but a great difficulty arose in the shape of the owners of houses. Many propositions had been made. It was proposed, for example, to have a stand-pipe in every court. But then it would disappear the first night, if there were any metal about it that could be sold. If they established such a supply, they must also establish some means of protecting it. All those things must be considered. His hon. Friend might make his speech and propose his abstract Resolution, but, after all, the question was one of evidence, and must be carefully considered and inquired into. He was not connected with the management of the New River Company, but he was authorized to say in its behalf that the managers were, and had been, most anxious to supply the poor districts abundantly. They had in many instances supplied their poor customers on Sundays, and were ready to extend the advantages of constant supply to all cases where they were really needed. With respect to the rich, he knew that they cried out against the constant supply, and would prefer to be left with the large cisterns which gave them, in fact, constant supply. He was sorry that the hon. Member for Bath (Sir William Tite) was not here, but the hon. Member told him (Mr. G. Hardy) that his house, being full of costly books and pictures, he dreaded the results of a constant supply, in case of any extraordinary pressure being put on the pipes and causing them to burst. In such a case, he told him, an amount of damage would be done that nothing could repair. The companies were perfectly ready to have the question inquired into, and had no doubt but that it would be justly decided on by that House. But let it not come to any rash conclusion. They could not carry out their own Acts of Parliament already passed. The towns up the river which polluted the Thames with their sewage were prohibited from doing so by Act of Parliament, but they continued to do so nevertheless. He objected, not only as regarded the water supply, but generally to these abstract Resolutions that pledged them for ever after. It was a serious question that of how they should obtain the best water for the supply of such a vast population as London. Do not let the House be led away by specious arguments, but let the question be tested by the body of evidence in their possession. Let the subject be inquired into by the public, and then come to the conclusion as to whether the Metropolis should be supplied by private companies or public bodies, and whether the water was to be drawn from the present or from any other source.

Mr. BRUCE said, that those who were present at the commencement of the debate must have been struck with the ability with which the subject had been treated both by the Mover and the Seconder of the Resolution. The Resolution itself consisted of words to which no Government could possibly take objection. It said "that the householders of the Metropolis should be supplied with water from pure sources." Surely no one could take any objection to such a proposition. It also asked that the water should be delivered by the constant system of supply; and that was already sought by the Bill of the Government. With much of the speech of his hon. Friend the Member for Hastings he cordially concurred, but there was one reservation he would make. The hon. Gentleman quoted most correctly a great number of authorities, eminent chemists and others, as to the polluted quality of a great deal of the water supplied to the inhabitants of London, and as to the pollution of the sources of supply; and he thought his hon. Friend was also careful to read the dates of his quotations; but the effect on the House would have been very different if they had recollected that many of the charges contained in those quotations were applicable to a state of things which had long since passed away, and were by no means applicable to the London of the present day. He knew himself that much of what his hon. Friend had said was not applicable to the present state of things. For example, nothing could be more explicit than the quotation from Dr. Simon; nothing more emphatic than that gentleman's condemnation of Thames water; and yet he knew, as a matter of fact, that if proper care was taken to prevent pollution, Dr. Simon would be perfectly satisfied to retain the Thames as a source of supply. The statements of his hon. Friend were, in fact, not new to the House. Over and over again it had been asserted that the Thames was not a safe source of supply. Alarms had been raised, and inquiries instituted, but always with the same result. In 1849 it was asserted that the Thames water ought not to be used for potable purposes. A Commission was appointed, and that Commission included some of our most eminent chemists. Their Reports had been quoted by his hon. Friend as strongly condemnatory of the Thames as a source of water supply. But what was the ultimate finding of the Commission? The finding of the

Royal Commission, which included the names of Dr. Miller and Dr. Hoffmann, who was now, unfortunately for them, in Berlin, was that the Thames water was perfectly wholesome, palatable, agreeable in flavour, and uniform in temperature. The Commission, however, recommended that means should be taken to prevent contact with the sewage, and that the water should be drawn from sources above the tidal range. They reported unfavourably on some of the schemes submitted, but drew attention to the chalk basin at Watford, supposing that its water could be made soft. In consequence of that Report the Act of 1852 was passed—an Act which, however, fell far short of the expectations of those who framed it. The opposition of the companies foiled much that was intended by the Act—especially the project of uniting all the companies under one organization. Supposing that scheme to have been carried out, a great economy would have resulted, but that idea was ultimately abandoned. The Act also provided for a constant supply for the Metropolis, provided that it was demanded by four-fifths of the inhabitants of a district. His right hon. Friend (Mr. G. Hardy) asked how it had come to pass that the constant supply had never been asked for. He should like to know for what purpose four-fifths of the inhabitants of a district had ever been able to come to a common agreement? The hon. Member for the University of Edinburgh had drawn a frightful picture of the immense amount of contamination suffered by the water of the Thames. He said that, in round numbers, some million of people lived in the basin of the Thames, and that the whole of the sewage of that population passed into its waters. But that statement was in direct contradiction to the finding of the Commission. [Dr. Lyon Playfair: I said 860,000.] Then it was the Mover of the Resolution who gave the figures without any deduction, whereas the Commissioners made very large deductions, and stated that, in their opinion, only a very small part of the pollution that might be anticipated from that large population really did pass into the Thames. But the answer to the supposed charge was that natural causes—in the flow of water and the various chemical processes going on in the flow—had the effect of purifying the waters in their passage down to the various sources of supply. Dr. Frankland, the Commissioners of 1851, and the Committee of 1867 were all agreed that the water of the Thames was good and wholesome; and after hearing the fullest evidence from gentlemen perfectly competent to give an opinion on the subject, the latest finding they had was that there was no evidence to lead them to believe that the water now supplied to the Metropolis was not generally good and wholesome. The right hon. Member for the University of Oxford was quite justified in saying that the House, and he (Mr. Bruce) might add the Government, must rely in those matters on the finding of authorized Commissions and Committees, and not upon the opinions of hon. Gentlemen, supported by individual cases. He had no doubt the water of the Thames was capable of considerable improvement, but he had also no doubt that it was in course of receiving that improvement at the present time. A good deal of what had been said was derived from the Report of an inquiry into the East London Water Works, and no doubt very hard and true things were said of that company at the time; but it has since exerted itself to improve its supply and delivery, and it now stood at the head of all the companies in the pains it took to give the poorest classes in London a constant supply. He held in his hand an abstract of the Metropolitan Water Companies Returns, and he found that, whilst there were in all London only 35,188 houses that received water on constant service, the East London Company supplied 32,723. Out of 96,000 houses in their district they had succeeded already in giving a constant supply to 32,000. He quite admitted that, as a rule, for the better class of houses an intermittent supply was quite sufficient for all the ordinary purposes of health and cleanliness. For the reasons he had stated he could not accept the Resolution in the sense that it was condemnatory of Thames water, but as a general statement he had no objection to it at all. In the face of all this evidence, depending upon different inquiries by different minds, the most scientific as well as the most practical, it was impossible to accept the conclusion that the Thames was not a proper source of water supply for this Metropolis. When he came to the second part of the Resolution, he confessed he should be glad to see it adopted by the House. At the same time he must admit that there was great force in what was stated by the hon. Member for Hull (Mr. Clay), and also by the right hon. Member for the University of Oxford (Mr. G. Hardy) as to the difficulty of providing a constant supply so long as the supply was in the hands of various companies, each of which it would be necessary to arm with very large powers for the protection of their property, if they were called upon to give effect to the constant system. The subject had been carefully considered by the Government, and they had introduced a Bill, which he should be glad to see read a second time, and referred to a Select Committee. He would not anticipate the discussion that might take place on that measure, but would only say in regard to it that he thought the Government had been met by the water companies in a very fair and liberal spirit. He had no doubt that the effect of a constant water supply on the health and happiness of the people would be great indeed. His hon. Friends had quoted evidence to show the evil results of the present intermittent supply. They had shown, from the evidence of persons authorized to speak on the matter, the foulness of the water drunk by a large portion of the poor people of London. They had shown that it was collected in receptacles which were receptacles of a great deal besides water, and that of a filthy description, and in all their great towns the constant supply system was found not only conducive to health, but, properly managed, to economy also. The Government, therefore, felt it better to introduce a measure which they admitted to be imperfect, but which was capable of conferring great advantages, than to wait till they could consolidate the various companies into one, and hand the management over to such a system of government as the corporations of Manchester and Liverpool. He was glad this discussion had preceded the discussion on the Bill which the Government were anxious to pass, because he thought that whatever might be the opinion of Members as to the details of that measure, no one who had heard that discussion would venture to assert that the measure was not called for by the exigencies of the Metropolis. To the Resolution as it stood he, on the part of the Government, could offer no opposition, although he could not accede to the interpretation which his hon. Friends had put upon a certain portion of it. The Resolution itself was perfectly harmless. It was an abstract proposition which bound the House to that which he believed every Member was at perfect liberty to affirm, and therefore, on the part of the Government, he was very willing to accept it.

MR. D. DALRYMPLE said, that the necessity for obtaining a softer and a better water for the purpose of supplying London had been, in his opinion, enormously exaggerated, and when the Thames was properly purified, he had no doubt whatever that it would supply a sufficient quantity of good and wholesome water. Nothing could be more erroneous than the deductions which were drawn from statements with regard to the purity or impurity of water. The idea that very soft water was good for nothing except the laundry or the tea-maker, he was prepared, upon very good sound physiological grounds, to assert was not correct, nor did he say that the deduction which the right hon. Member for the University of Oxford had drawn with regard to the connection between hardness of water and mortality was absolutely correct; but he said it was a simple fact, that in 50 or 60 of the largest towns of this country exactly in proportion as the hardness of the water decreased the mortality had increased. In towns where the average degree of hardness was 16 per cent, the mortality was 21, and in those towns and districts where the average hardness was only $1\frac{3}{10}$ per cent, the mortality was 28 per cent. As to the question of constant supply, he found, that in London one-third of the houses supplied by the eight companies were under £20 a-year rental, and more than one-half of all the houses supplied were rented at less than £30 a-year. Now, he believed that the solution of this great and important question was not to adopt a gigantic scheme which would cost the Metropolis millions of money, but to trust to the companies—who had done much to improve the supply, and were still spending large sums for the purpose—to trust to them to give the lower class of houses the requisite supply upon the constant system. Consider what must necessarily take place if they put all London upon a constant supply. Let Members reflect for a moment upon what took place in their houses from half-past seven till ten o'clock in the morning on any given day; there was a rush upon the boiler, upon the bath, and upon other services, which demanded a very large supply of water, and if all the houses of London—of the middle and upper classes of houses more especially—were to make that rush upon one main during those hours, no company in or out of London could give them a sufficient supply. During the rest of the day, no doubt, the supply would be more than abundant, but between those hours no main would supply as much as was wanted. He thought it probable that the House would come to the conclusion that it was incumbent to furnish a constant supply to all the poorer class of houses, and to leave those that had an abundant supply, and had no want at the present moment, to the supply they already possessed. After this discussion, he hoped they would be content with simply calling upon the existing companies in London to do that which the House had a right to demand; but he hoped they would not be led by high-flown ideas, either medical or chemical, to rush into a stupendous expense such as that proposed by the hon. Member for Hastings, and of which failure was the only probable result.

Mr. A. W. YOUNG said, that as far as he understood the question the result was this. If the first part of the Resolution meant anything, it meant that the present supply of water to London was not derived from pure sources; but the evidence given before the various Committees and Commissions did not prove anything of the sort; and he was not prepared to affirm by his vote that which he did not believe to be true. With regard to the second part of the Resolution, he thought it should again be referred to a Committee to consider. He believed that as respected the occupiers of the higher class of houses, they would consider it an intolerable nuisance to have the constant service forced upon them. At the same time, he believed, there were great advantages in applying it to the lower class of houses. He should not have risen but for an observation made by the seconder of the Resolution, who complained of the *vis inertiæ* of the companies in respect to improvements. Now, as respected one company, he could state that they drew their supply for many years from the Thames at Hungerford Bridge, and then at a great expense, paying a large sum annually, they removed their works to a higher part of the river, and they subsequently spent £40,000 for the purpose of obtaining the water some dozen miles still higher up. He did not think it right, therefore, to charge the companies with *vis inertiæ* in the matter of improvements, seeing that they expended these large sums of money to improve their sources of supply, although they would obtain no increased revenue in return for that outlay. The water companies of London had got no more than a fair return for their capital.

Mr. STEPHEN CAVE said, the hon. Member who had just sat down had reflected very much the opinion of the House. He thought the House had been placed in considerable difficulty by the Home Secretary having assented to this Motion. There was no doubt that the water supply of London ought to be derived from as pure sources as possible; but the question was whether the present supply was not for all practical purposes derived from pure sources. Then they had heard from high authority that if they had the water driven into their houses on the constant system the pipes in a great number of the houses would be totally insufficient to bear the pressure. Therefore, to agree to a Motion of this kind might lead to dangerous consequences. At the same time he should be sorry to negative it. He thought the House would do well to remain content with the discussion that had arisen, and that it should, for the present, postpone giving a decision on the subject, and therefore they should say it was a question that ought not to be put. He begged to move the Previous Question.

Mr. W. M. TORRENS seconded the Amendment. Notwithstanding the many instructive speeches they had heard, no opportunity had arisen for any of those who represented the ratepayers of the Metropolis to be heard, even for a moment, on this question; and, seeing that it so vitally affected their interests, they ought to have that opportunity before the House came to a decision. But there was one thing which his experience in that House had taught him, and that was the danger of passing general abstract Resolutions; and this was especially the case when the Resolution was on a subject on which no half-dozen Gentlemen were agreed. A gloss had been put on the Resolution by the Home Secretary, and if they passed the Resolution they would have people saying to-morrow that the House of Commons had condemned the present sources of supply, and the inadequacy of the present sources of supply, as well as decisions so carefully framed by Committees of the House, more than one of which had investigated this subject, not empirically, but by the light of scientific and practical evidence. He might remind the House that he was the only Member now present—and he believed the only one who was now a Member of the House—who sat on the Committee on whose Report the Act of 1852 was passed. That Committee comprised men whose business qualities were certainly never surpassed in that House; and after 40 days consecutive sitting, and after the examination of numerous scientific and other witnesses, they came to the conclusion that the Thames afforded one of the best sources of supply. This Resolution was a virtual censure on the proceedings of that Committee, because they had been told by the supporters of it that the Thames was an unfit source of supply. He believed that was a mistake; he believed that the water of the Thames was capable of being made a perfectly healthy and useful source of supply. They should then, he thought, be careful not to pass an abstract Resolution of this kind on the eve of sending a Bill on the subject to a Committee. They ought to be very careful not to lead Members of that Committee to a foregone conclusion. Why, on that Committee of 1852 they had a scheme brought before them similar to that propounded by the hon. Member for Hastings. The late Mr. Hope had a favourite idea that the water supply of London should be taken from the chalk at Watford, and Mr. Hope Scott introduced the subject in a long speech, in which he said that the water had fallen from Heaven about the year 1668, that it had since percolated through the chalk slowly, and that it was now, to use his own words, "prime old water." In a matter which affected the lives of millions, he did not think that the House should rashly restrict itself to any particular plan, and therefore he hoped the hon. Gentleman would not press his Motion.

SIR JOHN LUBBOCK said, the House had been told that the opinion of the hon. Member for Hastings (Mr. Kay-Shuttleworth) rested on his own authority and that of the hon. Member for the University of Edinburgh (Dr. Lyon Playfair). But the Report of the Committee had produced on his mind a totally opposite impression. In fact, their opinion appeared to coincide with that of the hon. Member for Hastings. Again, Dr. Graham, Mr. Hoffmann, Dr. Miller, who constituted the Chemical Commission, preferred the water from the chalk. The Water Supply Commissioners said the water from the present sources — the Thames and the Lea — would be good if means were taken for excluding sewage and other pollutions, and obtaining a proper system of filtration — in other words, that the Thames water would not be so good as that from the chalk without two conditions, which it was physically impossible to obtain. Of course if no impurities were allowed to enter the river the water would be comparatively pure; but, considering the large and increasing population in the district drained by the Thames, he feared this would be very difficult. On the other hand, the chalk was a natural filter, and from the chalk an immense supply might be obtained at comparatively small expense. With regard to hard water and soft, it was true that boiling diminished the hardness, but the boiling must be continued so long that it was a question whether it would not be more economical to apply Clark's process. As to the objection that taking water from the chalk formation would exhaust the surface rivers, he could not see that this effect could be produced more by taking water from a deep reservoir than in taking it from the surface, for the same quantity would be taken in each case. He did not wish to say a word against the water companies, for he thought they did their best under the circumstances; but it was of the utmost importance to the Metropolis to have a supply of pure and wholesome water.

MR. CAWLEY said, that he entirely agreed in what had been said as to the impropriety of passing an abstract Resolution, so that he should certainly vote for the Previous Question, if it were pressed; but, at the same time, he was convinced that a constant supply was indispensable to the population of London; though it was right to say the deficiency that had hitherto existed in this respect was not so much the fault of the water companies, but was chiefly owing to the want of efficient arrangements in the houses supplied. By constant supply, he meant water constantly in the mains, from which it could be drawn at pleasure. In the case of houses with cisterns the difficulty was capable of an easy solution; but in the poorer class of houses some control was required in order to secure a sufficient supply without waste. In regard to the question of purity of water, he believed that the Thames water might be rendered unobjectionable.

MR. KAY-SHUTTLEWORTH said, there were some things stated in the debate to which he should like to have replied, but considering the kind manner in which he had been received, he would not occupy the time of the House any longer. He should be quite ready to withdraw his Motion, being satisfied with the discussion which had taken place, but should take an opportunity of raising it on another occasion.

MR. HARVEY LEWIS thought it was very undesirable to occupy so much of the time of the House in the discussion of abstract Resolutions, and if the right hon. Member for Shoreham would press his Motion he would vote for it.

MR. CRAUFURD objected to the withdrawal of the Motion of the hon. Member for Hastings.

MR. KAY-SHUTTLEWORTH said, that in that case he should have great pleasure in voting for the Motion of the right hon. Gentleman (Mr. S. Cave).

Previous Question, "That that Question be now put,"—(*Mr. Stephen Cave*,)—put, and *negatived*.

METALLIFEROUS MINES REGULATION BILL.

On Motion of Mr. Secretary BRUCE, Bill to amend the Law relating to the Regulation of Mines other than Coal Mines, *ordered* to be brought in by Mr. Secretary BRUCE and Mr. WINTERBOTHAM.

Bill *presented*, and read the first time. [Bill 162.]

METROPOLITAN COMMONS SUPPLEMENTAL (NO. 2) BILL.

On Motion of Mr. WINTERBOTHAM, Bill to confirm a scheme (Shepherd's Bush) under "The Metropolitan Commons Act, 1866," *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

Bill *presented*, and read the first time. [Bill 163.]

House adjourned at Half after One
o'clock till Thursday.

HOUSE OF LORDS,

Thursday, 25*th May*, 1871.

MINUTES.]—PUBLIC BILLS—*Royal Assent*—Consolidated Fund (£7,000,000) [34 *Vict.* c. 20]; Customs and Income Tax [34 *Vict.* c. 21]; Fairs [34 *Vict.* c. 12]; Public Parks, &c. (Land) [34 *Vict.* c. 13]; County Property [34 *Vict.* c. 14]; Metropolitan Poor Act (1867) Amendment [34 *Vict.* c. 15]; Lunacy Regulation (Ireland) [34 *Vict.* c. 22]; County Justices Qualification Amendment [34 *Vict.* c. 18]; Workshop Regulation Act, 1867, Amendment [34 *Vict.* c. 19]; Anatomy Act (1832) Amendment [34 *Vict.* c. 16]; Bank Holidays [34 *Vict.* c. 17]; Local Government Supplemental [34 *Vict.* c. i.]; Oyster and Mussel Fisheries Supplemental [34 *Vict.* c. ii.].

UNIVERSITY TESTS BILL.

Returned from the Commons with certain of the amendments *agreed to*, with amendments, and other amendments *disagreed to*, with Reasons for such disagreement: The said Reasons, and Bill with the amendments, to be *printed;* and to be taken into consideration on *Tuesday* the 13*th of June* next. (Nos. 137 and 138.)

Their Lordships met;—and having gone through the Business on the Paper, without debate—

House adjourned at half past Four o'clock,
to Monday the 5th of June,
at a quarter before
Five o'clock.

HOUSE OF COMMONS,

Thursday, 25*th May*, 1871.

MINUTES.]—SELECT COMMITTEE—*Twenty-fourth Report*—Public Petitions.

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES, £843,850 further on account.

PUBLIC BILLS—*Second Reading*—Metropolis Water [40], *debate adjourned;* Land Drainage Supplemental * [158]; Metalliferous Mines Regulation * [162]; Metropolitan Commons Supplemental (No. 2) * [163].

Second Reading—Referred to Select Committee—Sequestration * [159].

Referred to Select Committee—Ecclesiastical Dilapidations * [144].

Select Committee—Courts of Justice (Additional Site) * [133], *nominated;* Ecclesiastical Titles Act Repeal * [27], Mr. Charles Mills *discharged*, Mr. John Talbot *added*.

Committee—Army Regulation [39]—R.P.

Committee—Report—Gas and Water Provisional Orders Confirmation * [128]; India (Local Legislatures) * [154]; Presbyterian Church (Ireland) * [142].

Third Reading—Public Health (Scotland) Act (1867) Amendment * [92]; Local Government Supplemental (No. 2) * [115], and *passed*.

SCOTLAND—POSTAL COMMUNICATION.—QUESTION.

Mr. CAMERON asked the Postmaster General, If he has come to any fresh arrangement with the "Highland" and the "Dingwall and Skye" Railway Companies for the conveyance of Mails between Perth and Inverness, and to the north and west of the latter place, by which the postal communications in that part of the United Kingdom will be improved, and effect given to the wishes of a deputation which lately waited on him to confer on this subject; and, if so, whether he will be good enough to state the nature and extent of such improved service?

Mr. MONSELL: Sir, as the negotiations with all the railway companies are not completed, I cannot give a full answer to my hon. Friend's Question. I may inform him, however, that arrangements have been made with the Highland Railway Company to maintain the present postal communications. The company found it impossible to increase the speed of the mail train. Its rate is 27 miles an hour, which I believe is greater than that of any other single-line railway in the United Kingdom. The Dingwall and Skye Railway have refused to convey the mails under charge of a train guard. Much more important mails, including bags for Liverpool, Manchester, Birmingham, and Brighton, are conveyed over thousands of miles in this way, and the Law Officers of the Crown in Scotland have declared our demand to have them so conveyed to be strictly legal, and are proceeding to enforce it. In the meantime, to preserve the public from inconvenience, I have directed that the mails shall be sent by the railway, paying under protest such rates as the company may demand.

WEST INDIES—NEVIS.—QUESTION.

Mr. W. JOHNSTON asked the Under Secretary of State for the Colonies, Whether it is true, as stated in a Petition of five elected members of the Legislative Assembly of the island of Nevis, dated 24th April 1871, that the inhabitants of Nevis are opposed to the confederation of the island with others; whether the Memorial forwarded to Her Majesty through the Secretary of State for the Colonies has been acknowledged; whether, on the occasion which brought forth the Memorial, the Governor in Chief, Sir B. C. Pine, took his seat in the Assembly, and, without the presence of a single elected member, passed a Confederation Bill; whether a party of Marines, with fixed bayonets, was stationed on this occasion in the Court Hall; and, whether it is intended to deprive the people of Nevis of their constitutional rights and liberties by giving Imperial sanction to such Bill?

Mr. KNATCHBULL-HUGESSEN: Sir, full information upon the subject of this Question will be found in the Papers respecting the proposed federation of the Leeward Islands which I presented during the present month. I will state, however, the following facts:—Nevis is one of six islands proposed to be federated. Its population by the last Census was less than 10,000, the population of the whole six islands being 112,000. No doubt there was and is a party in Nevis opposed to confederation, but the owners of the largest portion of the island are favourable to it. The memorial has been acknowledged. The elected members, five in number, voluntarily absented themselves from the meeting of the Assembly, at which, after waiting for them for half-an-hour, the confederation resolutions were passed by a quorum of official and nominated members, and the minutes were afterwards confirmed at a meeting at which the elected members were present. By gross misrepresentations a feeling hostile to the measure had been excited in the island and violence was threatened. At the request of some of the peaceable inhabitants, 17 Marines and one officer were landed as a guard of honour to the Governor, and they were drawn up outside the Court House. It is certainly intended to proceed with the Bill, founded upon resolutions adopted by the Legislatures of all six of the islands concerned, and which Her Majesty's Government are convinced will prove as beneficial to Nevis as the rest.

HONG KONG—GAMBLING HOUSES.
QUESTION.

Colonel SYKES asked the Under Secretary of State for the Colonies, Whether any Petitions or Memorials from the Chamber of Commerce at Hong Kong, from the Community, and from

Chinese have been received at the Colonial Office, complaining of the policy of licensing Gambling Houses in Hong Kong, to the injury of trade and to the morals of the people and increase of crime; whether any and what Answers have been given to these Petitions or Memorials; and, whether Copies will be laid upon the Table if moved for?

MR. KNATCHBULL-HUGESSEN: Sir, the memorials in question have been received. The answer given has been to the effect that Sir Richard M'Donnell, the Governor, now on leave, had been instructed to take the whole subject into consideration immediately upon his return to the Colony, with the view of putting an end to the policy of licensing gambling houses. Correspondence has been promised which will include these memorials, and which is now in course of printing. I fear from its voluminous character, and the press of other business, it may not be ready for presentation to the House for several weeks to come, but it shall be given as soon as possible.

ARMY—THE AUTUMN CAMP.

QUESTION.

VISCOUNT BARRINGTON asked the Secretary of State for War, Whether, with reference to the contemplated manœuvres of troops next autumn, it is the intention of Her Majesty's Government to enter into any communication with the owners and occupiers of land in the districts where such manœuvres may take place?

MR. CARDWELL: Sir, I have received from my hon. and gallant Friend the Member for Berkshire a resolution unanimously carried at a meeting of owners and occupiers of land in the Ilsley district, in the county of Berks—

> "That this meeting, fully relying upon a reasonable regard being held in view by the military authorities for taking the necessary measures to protect the land, the crops, and the Downs from serious injury, will gladly render such assistance and co-operation as may be necessary, in order to facilitate the movement and exercise of troops during the autumn along the open country of the Down district of the county."

And also—

> "That this Committee, entertaining no doubt that the determination of Government to form a Camp of Exercise on a large scale is a wise measure, and likely to prove a national advantage, readily acquiesce in the propriety of selecting the neighbourhood of the Berkshire Downs as a suitable locality, and gladly express on the part of the farmers in this vicinity their wish to co-operate in carrying out the proposed arrangement."

As soon as the detailed arrangements are sufficiently advanced, communications will be made to the parties interested, and I shall be happy to enter into reasonable arrangements for preventing the occurrence of disputes.

COLONEL LOYD LINDSAY asked, Whether, in the event of the Berkshire Downs being selected for the proposed military manœuvres, the Secretary of State for War would be good enough to state whether compensation for any serious positive injury which may be sustained would be allowed; and whether, with a view of judging of such injury, he would sanction (when the time arrived) the appointment of a mixed Committee, consisting of military officers, owners and occupiers of land, whose duty it would be to visit the fields and lands previous to the arrival and after the departure of the troops, and then and there decide if any damage had been done, and, if any, what amount, the Committee having, if necessary, power to call in a professional valuer?

MR. CARDWELL: Of course, if serious injury were done, it would be necessary that compensation be provided; and as to the detailed plan suggested by my hon. and gallant Friend I shall be happy to communicate with him to give it consideration.

FRANCE—PARIS COMMUNAL AUTHORITIES.—QUESTION.

MR. WHALLEY asked the Under Secretary of State for Foreign Affairs, Whether it is not the fact that the Communal Authorities of Paris have shown due attention to all representations from the British Embassy, and that the persons and property of British subjects have received all requisite protection and consideration; and, in the event of Paris being forcibly entered by the Government Army of France, whether he can assure the House the influence of Her Majesty's Government will be exercised in favour of those who have taken part in the contest so far as to secure for them the benefit of the usages of civilized warfare, and an amnesty as favourable as that conceded to the

Southern States of America after the Civil War in that Country?

VISCOUNT ENFIELD: Sir, Her Majesty's Government acknowledge the attention shown by the Commune to the unofficial representations made in behalf of British subjects, but they decline any interference between the Government of France and the Insurgents when subdued.

PARLIAMENT—ACCOMMODATION FOR MEMBERS.—QUESTIONS.

MR. MACFIE asked the First Commissioner of Works, If he will be good enough to set apart some convenient place in the Palace of Westminster where Members may sign Letters brought them by their secretaries or clerks for signature, and dictate to them Letters on business concerning the constituencies?

MR. AYRTON said, in reply, that under the new arrangements for the House a room was provided in the gallery of St. Stephen's Cloister to enable hon. Members to receive persons who might wish to see them on business, and he believed that that had met the general convenience of the House. Unfortunately it had been found that the room was used for business of a different kind, and it had become the duty of the Serjeant-at-Arms to take care that it was devoted to the purposes for which it was originally intended. His hon. Friend wished to have accommodation of a more extended character, which would enable Members to receive the assistance of a clerk or a secretary within that building. Now, if anything of that kind were attempted, it would be necessary to provide for the accommodation not merely of one or two Members like his hon. Friend, but perhaps of one or two hundred other Members; because whatever was done for the convenience of one Member must be done for the convenience of every other Member who desired. Therefore, large as that building was, it did not afford any room of sufficient size for such a purpose, although at some future time, when the new Courts of Justice were built, and the existing Courts at the other side of Westminster Hall were pulled down, Westminster Hall itself would then furnish the accommodation that his hon. Friend desired.

EDUCATION—ENDOWED SCHOOLS. QUESTIONS.

MR. HEYGATE asked the Vice President of the Committee of Council on Education, Whether he is aware that it is the avowed intention of the Endowed Schools Commissioners to prevent the annual income of endowments from being as a rule any longer devoted to elementary education; whether the carrying out of such intention will not deprive the inhabitants of numerous parishes of the provision for this purpose which they have hitherto enjoyed, and consequently necessitate fresh voluntary contributions, or the exaction of school rates, in order to enable them to meet the requirements of the Elementary Education Act of last Session; and, whether he considers such a result would be consistent with the spirit and intention of the 5th Clause of that Act, which requires that school accommodation shall be provided for all children "for whose elementary education efficient and suitable provision is not otherwise made;" and with his own statement in Committee on the 11th Clause of the Endowed Schools Bill, on the 14th June 1869, to the effect that "it was not intended (by the Government) to divert from a locality any endowment which was not plainly more than sufficient for the purposes of that locality;" and whether an Amendment to such Clause was not withdrawn in consequence of such assurance?

MR. W. E. FORSTER said, he thought this series of questions was too argumentative in form to admit of its coming under the designation of a Question put to Her Majesty's Government. He believed he had already stated that all schemes of the Endowed Schools Commissioners, before they could have legal force, must have the approval of the Educational Department of the Government as well as the sanction of that House, and must lie for a certain time on the Table. He could not possibly say what was happening until the scheme came actually before the Government. He supposed the hon. Member referred chiefly to what were called rural endowed schools throughout the country. So far as they were concerned, he was not aware that any scheme had been submitted to the Government for dealing with the annual income of any such endowment. It was impossible to answer definitely the first Question put by the hon. Member, because the Endowed Schools Commissioners dealt with every case according to its merits; and until the case came before the Government he could not tell what their intention was with respect to it. Generally speaking, he might say he was informed by the Commissioners that when they were dealing either with the annual income or with the principal of what was called an elementary endowed school, their great aim was that the money should be spent as far as possible for the benefit of the children of the poor who had attended the school; but, as regarded higher education, they aimed at provision being made for giving instruction in subjects which might prepare scholars to obtain exhibitions, and to enter a school of a higher grade. Perhaps his hon. Friend thought the money ought solely to be applied to elementary education pure and simple; but that would certainly be using these endowments for the purpose of relieving either the rates or the taxes. It was the opinion of the Endowed Schools Commissioners and of the Government that to do so would be in accordance neither with what was supposed to be the intent of the founders, nor with the interests of education. There might be special cases in which poverty, or some other circumstance, would render it desirable not to adhere to that principle. With regard to the third Question "whether he considers such a result would be consistent with the spirit and intention of the 5th Clause of that Act," his reply was that he certainly did think so. As to the statement he had made in Committee on the 11th Clause of the Endowed Schools Bill, he did not consider that by applying endowments for the better education of poor boys he was diverting the money for a purpose contrary to that of the founder. Lastly, he did not think the Amendment was withdrawn in consequence of his assurance.

RAILWAY ACCIDENT AT BROCKLEY WHINS.—QUESTION.

Sir HENRY SELWIN-IBBETSON asked the President of the Board of Trade, If his attention has been called, by a statement in "The Times" newspaper of the 18th instant, to the fact that the points on the North Eastern Railway which led to the fatal accident at Brockley Whins Station have not been altered, notwithstanding the recommendation of the Inspector of the Board of Trade to that effect, and that an exactly similar accident, fortunately without its fatal effects, has in consequence again occurred at the same place? Since he put his Notice on the Paper he had learnt that the accident occurred to an engine and tender, and not to a train; but the points had not been altered, he believed, up to this moment.

Mr. CHICHESTER FORTESCUE, in reply, said, he had received a letter from the Chairman of the North-Eastern Railway to enable him to answer that Question. It appeared that the points had been altered, and that the work had been finally completed on the 27th of April last. No accident had really occurred to a train. The circumstance which may have given rise to the rumour was that, before the new arrangements were completed, it was necessary, in certain contingencies, on the arrival of a train, to pass the train for a short time on to the other line of rails, though protected by signals at 1,000 yards distant, and that fact might have given rise in the minds of the passengers to the idea of danger. But since the completion of the work, on the 27th of April, it was no longer necessary to continue that practice.

ARMY—COMMISSIONS.—QUESTIONS.

Lord ELCHO asked the Secretary of State for War, Whether under the present system of officering the Regular Army it is not competent to the Secretary of State, and the Military authorities at the Horse Guards, to raise the examinations for first Commissions and promotions to any required standards; and whether these standards have not been altered from time to time, and within a comparatively recent date; whether under the present system the Commander-in-Chief has not at the Horse Guards confidential reports which enable him to judge of the fitness of officers to command a regiment; and whether he has not also a veto on the succession or appointment of any inefficient or incompetent officer to a regimental command; whether under the present system Commissions are not annually thrown open to public competition and given away without payment; and whether there is anything in the present system which would prevent an increased number of Commissions being thus given away; whether under the present system Commissions are not given or offered to deserving non-commissioned officers, and whether there is anything in the present system that would prevent an increased number of Commissions being thus bestowed on deserving non-commissioned officers should it be thought advisable; and, whether under the present system Commissions in the reserve forces are not held by officers who have served in the regular Army; and whether there is anything in the present system which would prevent the Secretary of State from allowing an officer of the regular Army to retire on half-pay at any time on the condition of his undertaking to serve in the reserve forces?

Mr. CARDWELL: The answer, Sir, to the first two Questions is "Yes;" but I may add, as this is an argumentative Question, that it appears to me, if the views of the noble Lord and his Friends are correct, the hardship of failure in the one case, and of the veto in the other, is greater under the present than it would be under a different system. The answer to the two next is that the number of non-purchase commissions is not sufficient even to meet the requirements of the Royal Commission on Military Education; that these commissions carry purchase rights; that if an increased number be provided it must be at the public cost, which, in my opinion, would not be provident until the purchase rights shall have been extinguished. The answer to the last Question is that, under the present system, the appointments are made by the Lord Lieutenant of the county, and while this is the case no system can be introduced for appointing officers from the Army to the Militia. What is wanted is a system which, while it makes sufficient provision for the local considerations involved, will secure that the Militia shall be officered by professionally-trained officers.

CAPE OF GOOD HOPE—ORANGE FREE STATE.—QUESTION.

Mr. HARVEY LEWIS asked the Under Secretary of State for the Colonies, Whether he has any objection to lay upon the Table of the House Copy of the Despatches received from Sir Henry Barkly the High Commissioner of the Cape Colony, relative to the disputes with the Orange Free State Government?

Mr. KNATCHBULL - HUGESSEN said, in reply, that there had been from time to time much correspondence with respect to proposed negotiations with the Orange Free State, and also with the Trans-Vaal Republic. As these negotiations were still in progress, it would be inconvenient to publish any correspondence at the present moment. He might say, however, that the latest intelligence was of a peaceful and satisfactory nature.

CUSTOMS—LEAVE OF ABSENCE. QUESTION.

Colonel BERESFORD asked Mr. Chancellor of the Exchequer, When the Treasury Minute made about two months ago, granting fourteen days' leave of absence in each year to the writers in Her Majesty's Custom House, will be put in force; and if instructions have already been sent to that department for the Minute to be acted upon, when such instructions were forwarded?

The CHANCELLOR of the EXCHEQUER said, that the Minute to which the hon. and gallant Gentleman referred had been suspended for a considerable time, with the view to its being re-considered, and that, therefore, he could give no direct reply to his Question.

NAVY—STEAM COAL.—QUESTION.

Sir JOHN HAY asked the First Lord of the Admiralty, Whether any Reports as to the quality of the steam coal supplied to the Navy have been received since January 1869, from the Commanders in Chief of the Channel Fleet or on Foreign Stations; and, if so, if he will lay them upon the Table of the House; and, if he will state whether Mr. M'Culloch still holds the office of coal buyer for the Admiralty? He did not find his name in the Navy List or in the Estimates.

Mr. GOSCHEN replied, that reports had been received from the Commanders in Chief of the Channel Fleet and others in the Navy with respect to the quality of the steam coal furnished to the Navy, and there would be no objection to supply ample information to the House upon the subject. The Question of the hon. and gallant Admiral applied to reports extending over two years and a quarter, and he had not as yet had sufficient time to go through those reports. With regard to the second part of the hon. and gallant Gentleman's Question, he had to state that Mr. M'Culloch still bought coal for the Navy, but it was not considered that he held any permanent office in the Admiralty, and therefore his name did not appear as being on the official staff of the Admiralty.

ARMY—LODGINGS OF SERJEANT MAJORS.—QUESTION.

Colonel RUGGLES-BRISE asked the Secretary of State for War, Whether he is aware that the weekly lodging allowance for a Serjeant Major in the Line is 8*s.* 6*d.* a-week, while a Serjeant Major in the Militia receives but 2*s.* 4*d.* for weekly lodging, or the same as a drummer boy; and upon what principle he justifies this distinction?

Mr. CARDWELL: Sir, a regimental sergeant-major in the Army receives by the regulations 8*s.* 6*d.* a-week lodging money when no quarters are available, which is a very rare occurrence. Sergeants generally receive 4*d.* a-day. No such distinction has ever been made in the case of the Militia; probably the reason is, that the permanent staff of the Militia are settled in permanent quarters, have greater facilities for obtaining lodgings cheaply, are pensioners, and enjoy privileges not enjoyed by those in active service in the Army.

ARMY—EXCHANGES.—QUESTION.

Lord EUSTACE CECIL asked the Secretary of State for War, What measures he proposes to adopt to obviate the serious professional injury which the Clause of the Army Regulation Bill prohibiting money being given for exchanges, will cause to those officers who have purchased half-pay promotion on the well known understanding that, by the payment of a certain sum of money, they could at any time secure an exchange to full-pay?

Mr. CARDWELL: Sir, half-pay officers will be eligible, as now, to be brought back to the full-pay list, as opportunities occur, but they will not pay for it. The noble Lord appears to have overlooked or disregarded the injunction in the Royal Warrant, which prohibits an officer from designating his successor.

ADULTERATED TEA.—QUESTION.

Lord EUSTACE CECIL asked the Chancellor of the Exchequer, Whether, in regard to a large quanity of adulterated tea lately allowed to pass through the Custom House, and so thrown upon the London market, any regulations exist which makes it the duty of Custom House officers to examine and detain all suspected goods in bond; and, if not, whether he will take steps to issue such regulations, so that some check may be put to a practice which inevitably leads to an open breach of the Law?

The CHANCELLOR of the EXCHEQUER: Will the noble Lord be kind enough to repeat his Question to-morrow?

POTTERY IN THE INTERNATIONAL EXHIBITION.—QUESTION.

Mr. A. BROWN asked the hon. Member for Exeter, Whether it is the fact that the gentleman entrusted with the drawing up of the Report on the Pottery Departments of the International Exhibition of 1871 is a member or employé of one of the principal exhibiting firms; and, if so, whether the Royal Commissioners will allow the fact to be stated in the Report on the subject?

Mr. BOWRING said, in reply, that the hon. Member was not quite correct in supposing that any one gentleman had been entrusted with the drawing up of the Report on the Pottery Departments of the Exhibition. The fact was that the class of Pottery had been divided into seven sections, and that number of gentlemen had been appointed reporters to those sections, amongst whom, he might mention, was his hon. Friend the Member for St. Ives (Mr. Magnaic). One of the reporters, Mr. Arnaud, was in the employ of Messrs. Minton, Campbell, and Co., one of the competing firms. He was a man of great artistic taste and experience, having prepared valuable Reports on the porcelain departments of the Paris Exhibitions of 1855 and 1867, and under the circumstances he (Mr. Bowring) was of opinion that the Commissioners were fully justified in appointing him a reporter on this occasion. With regard to the second Question, he saw no objection to the suggestion of his hon. Friend that the fact of Mr. Arnaud's connection with the firm of Messrs. Minton should be made publicly known, and he would mention the subject to-morrow morning at a meeting of the Commission, of which he was a member, and then propose that the Report of Mr. Arnaud should record that fact in such manner as might seem most convenient.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTION.

MR. DISRAELI: It would be convenient, Sir, for the House to know what is the course of Business proposed by the Government on the re-assembling of the House?

MR. GLADSTONE said, that a Vote of Credit for a short period would be proposed that night, the Supply being exhausted. If that Vote were agreed to, the Water Bill would be proceeded with. To-morrow, at 2 o'clock, the Westmeath Bill would be proceeded with, and if that Bill did not occupy a long time the Water Bill would be proceeded with if it were not disposed of that night. The Government propose to take the Civil Service Estimates on Thursday, when the House re-assembles. It would be very desirable to go forward with the Prayer Book and Lectionary Bill, and he proposed to take that Bill at 11 o'clock on Thursday. On Friday they proposed to go on with the Civil Service Estimates, and on Monday to resume the Army Bill. With reference to a Question of which Notice had been given by his hon. Friend the Member for Warrington (Mr. Rylands)—whether Her Majesty's Government will give an opportunity for a discussion on the Treaty with the United States of America, that Treaty has been presented to Parliament, and therefore it was in the power of his hon. Friend to take any of the usual opportunities for discussing it, he might take that occasion, however, of stating to the House that the Government had heard to-day from the other side of the water that the Treaty had been ratified by the Senate, not unanimously, but by a very large majority—namely, 50 votes to 12.

FRANCE—DESTRUCTION OF PARIS.

QUESTIONS.

SIR ROBERT PEEL: Sir, the Question I am about to put may not be in accordance with the usual course of business, but I must ask for the indulgence of the House, and I am sure I shall meet with the cordial approval of the House when I refer to the appalling events in Paris at this moment. I ask my right hon. Friend at the head of the Government and the right hon. Gentleman the Leader of the Opposition whether this would not be a fitting moment for this House to express its sympathy with France—not with any particular form of Government of France, but with France—at the appalling events which are there occurring. France has been brought down by its enemies, but it has succumbed in a manner now which no one could have anticipated. The finest monuments of France are—["Order!"]—I put it to you, Sir, whether you think this is a fitting opportunity for this House—["Chair!"]—

MR. SPEAKER decided that the right hon. Baronet was transgressing the Rules prescribed for asking a Question.

SIR ROBERT PEEL: I wish to conclude with a Motion. I am in the hands of the House. If the House does not approve what I say, I am willing to say no more on the subject; but I do think this is a fitting opportunity for the House to express sympathy with France without reference to any particular form of Government, and I ask the right hon. Gentleman at the head of the Government and the Leader of the Opposition to take this opportunity, without allowing one day to pass, of giving expression to our unanimous sympathy for France.

MR. BAILLIE COCHRANE: I think, Sir, I am only expressing the deep anxiety and interest of the House in putting to the First Minister of the Crown the Question of which I have previously given him Notice, Whether he has received any official information of the terrible events now occurring in Paris?

MR. GLADSTONE: Sir, when my hon. Friend kindly intimated to me this morning his intention of asking me a Question on this subject, I was under the impression that very likely in the interval before the meeting of the House there might be official intelligence which the House would be desirous to learn; but we have received no telegram relating to the unfortunate and terrible events that are occurring in Paris; and I cannot wonder at that, considering that the representatives of the British Government would be unwilling to send intelligence of such matters until they could be quite certain of its accuracy. So far as a judgment can be formed from the unofficial telegrams, I think there is some room for hoping that there may have been a degree of exaggeration in the details, although I apprehend there is no room for any hope whatever that great catastrophes have not occurred. With respect to the Motion made by my right hon. Friend the Member for Tamworth (Sir Robert Peel), I cannot wonder, whether he was in Order or whether he was not in Order, that, under an impression created by events so entirely, I think, without precedent in history, he should have been led to express the emotion which he feels in common with us all. For my own part, I will not attempt to characterize by any epithet the circumstances of which we have obtained partial knowledge, and I would the rather refrain from doing so, because I am conscious that there are no epithets which could adequately or in any degree give satisfaction to the feelings with which every man's mind and heart must be oppressed. I do not think that at the present moment the House could usefully express any opinion; but I am quite sure there is no Member of this House who, if the expression of its opinion could give the slightest comfort to France under circumstances so extraordinary, would not be prompt to avail himself of an opportunity of expressing his sympathy.

ARMY REGULATION BILL.—QUESTION.

Colonel STUART KNOX asked the Secretary of State for War, Whether, when the House is in Committee on the Army Bill, he will produce any Letter written either by the War Office or the Horse Guards to young gentlemen writing for Commissions in reference to the proposed abolition of purchase?

Mr. CARDWELL said, in reply, that he really did not know to what letter the hon. and gallant Gentleman alluded. If he wanted any document, and would give him due notice, he should be happy to see if he could produce it.

FRANCE—BRITISH EMBASSY AT PARIS.

QUESTION.

Mr. A. F. EGERTON: I beg, Sir, to ask the Under Secretary of State for Foreign Affairs a Question of which I have given him private Notice, If any intelligence has been received in regard to the condition of the British Embassy at Paris and the safety of its inmates?

Viscount ENFIELD: I am informed, Sir, that four or five shells have fallen in the immediate vicinity of the Embassy, but we received a telegram yesterday stating that none of the inmates were injured in any way whatever.

BLACKWATER BRIDGE BILL.

QUESTION.

Mr. SCLATER-BOOTH wished to call attention to a point of Order. At 2 o'clock on Tuesday morning a Motion was set down that the House would on Wednesday resolve itself into a Committee on this Bill. The matter, however, was postponed to Thursday, and now he found that the Clerks at the Table had taken it as though the question had been brought to issue, and that the House had ordered the Committee to be set down for Thursday. No issue, however, was taken, and therefore he submitted that the Order of the Day should be discharged and the Minutes amended.

Mr. SPEAKER said, he was of opinion that there had been no irregularity.

Mr. HUNT said, he apprehended that there had been a mistake, and that the Order Book should be amended.

Mr. GLADSTONE said, the case should be settled by the ordinary practice of the House, which was that any person who opposed the going into Committee took the Question on the Motion that Mr. Speaker do leave the Chair.

Mr. BOUVERIE said, that at one time he had had a great deal of experience in those matters, and he did not think it was usual to oppose what was called the setting up of the Committee. No doubt it was an Order by the House, but it was usually taken as an unopposed Motion, of which no Notice need be given. The practice for the last 25 or 30 years had been that this sort of Committee was set up by a word to the Clerk at the Table.

METROPOLIS WATER BILL.

QUESTION.

In answer to Mr. CRAUFURD,

MR. BRUCE said, that after the discussion that had taken place on Tuesday on this subject, he did not consider that he was bound by the promise that he had made before the discussion as to the hour after which this Bill should not be brought on.

ARMY REGULATION BILL—[BILL 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

COMMITTEE. [*Progress 22nd May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Compensation to officers holding saleable commissions).

COLONEL ANSON, on rising to move an Amendment in the clause, which he held to be perhaps the most important in the whole Bill, said, he must protest against the language which had been used in that House by Ministers and private Members with regard to the conduct of officers in this matter, for from it, one would have thought that the officers of their Army had disgraced their country, or at least had failed in their duty. The hon. and gallant Gentleman the Financial Secretary had said that the officers were now only trying how much they could receive; and the right hon. Gentleman the Secretary of State for War had taunted him (Colonel Anson) with not looking to the interests of non-commissioned officers, privates, or poor officers, but only to the interests of rich men. Now, he would not on the present occasion diverge into the question of non-commissioned officers and privates, as that would take up the time of the Committee; but this he would distinctly say, that every Motion which he had made or should make, would have for its object the interests of the poorer and not the richer class of officers. What the officers said was this—"If you are really going to do away with purchase, very well. We give no opinion upon that. But, if you are, you ought to look as much to the interests of the officers who will remain in the Army as of those who will leave." With regard to the question of promotion, he should like to know what would be the result under the new system in the case of a man who had purchased over two or three others, and had paid a considerable amount of money? These two or three officers over whom he had purchased might or might not be selected—most likely they would—to go over his head; or, in other words, after the State had taken this man's money the officers would all be placed in the same relative positions in which they stood at first, the man who had purchased being, perhaps, mulcted to the amount of £1,800. He asked any reasonable man whether that would not justly give rise to great discontent? Some hon. Gentlemen had said that they knew this Bill was viewed with satisfaction by the officers of the Army. Now, he could occupy the time of the Committee up to 12 o'clock that night by reading letters from officers, showing the deep feeling of dissatisfaction which the Bill had inspired, and that feeling was nothing compared with what it would be five or six years hence. There was just ground to apprehend that, if there was on the part of the Government what might be regarded as a breach of contract with respect to the pecuniary interest in commissions, there would be some discontent excited among the lower ranks of officers. Was it advisable to run the chance of that discontent? He submitted that it was not. The scheme which he brought forward on the Motion to go into Committee on this Bill had been misrepresented with respect to its cost, because he based his argument for the return of the purchase money on the assumption of a breach of contract. The Government proposal as to the lieutenant-colonels would be fair, provided the colonels were not forced to leave their regiments after having held command for five years; and the proposal as to majors would be fair if they were not prevented from succeeding to the command of their regiments, that being the ambition of their lives. But captains, lieutenants, and ensigns ought to have their money returned to them at once, because the system of promotion above their ranks would be wholly changed, as the Government proposed to have Army, instead of regimental promotion tempered by selection, a plan which would seriously affect some regiments, in which there might not be any promotion during the next 15 years. With regard to the non-purchase officers, the whole of their engagements would be put an end to on terms that amounted to the grossest breach of faith ever perpetrated. With respect to those who were on the half-pay list, his proposal—which had also been very much misrepresented, for it had been falsely said that he proposed to pay everybody on the list without exception the whole of their money back again—was that, unless within a reasonable time they were brought again into the service they should have their money returned to them at once. There was now raised a dispute as to whether the Government received the regulation value of commissions; but that they did so was shown by the Royal Warrant of 1720, in which there was a distinct order that an officer who sold his commission should not know who was to succeed him, a sale being transacted through the Government. There could not be a clearer case than that mentioned by the right hon. and gallant Member for South Shropshire (Sir Percy Herbert), in which an officer was obliged to retire while on foreign service. When he came home he appealed to the War Office, and with such effect that it was resolved to allow him the half-pay of his rank; but in order to be generous to that man the authorities mulcted the officers of that regiment to the amount of £4,500; moreover, it was well known that during the last 17 years the Government had, by the sale of commissions, made a profit of £1,700,000 out of the officers, who knew they had been plundered year after year. He did not desire to be extravagant, and maintained that his proposal would cost less than that of the Government. According to a Return which had recently been published, the Government plan, applied only to regulation prices, would cost £7,995,000, if liquidated by deferred payments; or, including over-regulation money, and by immediate payment, it would cost £9,924,000. If his proposal were carried out they would have to pay a lump sum of something like £4,700,000, which, if spread over a certain number of years—say 40—would not cost the country more than £150,000 to £180,000 per annum. He thought there was no reason why the taxpayers of the present day should pay for improvements from which they would derive no benefit for the next 20 or 30 years. If the regulation price were paid officers would not sell in order to realize the over-regulation price, and, therefore, a considerable saving would be effected in that way. If his proposal were carried purchase would, he believed, be completely got rid of in a very few years, while the officers of the Army would be contented. In order to effect that purpose, he was prepared to go before a Select Committee of the House to argue against the clause, or to meet the Law Officers of the Crown and fight the question out with them. Indeed, this clause, which related in great part to the expense, was one which, in his judgment, ought to be referred to a Select Committee. Without describing the other schemes which were before the House, he would merely remark that they were all very much of the same nature as his own. He believed the Government would be just to the officers for the next two or three years, as the over-regulation money would be given; but that was no reason why the officers who chose to remain in the service should be left discontented. On a previous occasion the right hon. Gentleman the Secretary of State for War had stated that when the Bill got into Committee, he should be ready to meet any hon. Member who showed just cause for alteration in a liberal and conciliatory spirit. He trusted he would do so, and he hoped the right hon. Gentleman would manifest such a spirit tonight, that he (Colonel Anson) could assure him that his sole object was to promote the efficiency of the service. The hon. and gallant Member concluded by moving the insertion, after the word "officer" in line 8, of the words "whether on full or half-pay, except in such cases as are hereinafter mentioned." He explained that the latter words were not in the Notice Paper, as printed, but were introduced in order to admit of exceptions being made in the Schedule in the case of officers who would not be affected by the operation of the Bill.

Amendment proposed, in page 2, line 8, after the word "officer," to insert the words "whether on full or half pay, except in such cases as hereinafter mentioned."—(*Colonel Anson.*)

MR. SAMUDA said, he agreed with the last speaker that this was the most important clause in the Bill. The proposal to withdraw the condition in the clause, limiting the number of officers to be allowed to retire, had most materially changed the clause in favour of the officers, and it had, be believed, been accepted by them as a considerable concession; but circumstances might occur which would have the effect of taking away a much larger number of officers than they could at the time conveniently spare, such as unpopular service, or even a general desire to retire when the terms of the service had become modified so much to the disadvantage of the purchase officer; and these contingencies should be met at once—not left to cause disturbance if they arose hereafter. He should propose, therefore, that, instead of following the plan laid down in Clause 3, the Government should start by determining each year, before the Estimates were framed, the amount of money to be paid for abolishing purchase in that year. For the sake of argument, take it during the first five years at £700,000 a-year. Now, a reference to the Papers already before the House would show the number of regiments which that sum of money would enable the Government to absorb; that would be about ten infantry and three cavalry regiments. Then suppose the Government were to establish a Board, consisting of the Commander-in-Chief, the Secretary of State for War, and two or three other authorities, above all suspicion as to impartiality, who should determine the proportion of infantry and cavalry regiments to be absorbed by this money, and if they determined that ten infantry and three cavalry regiments should be absorbed, the whole of the purchase regiments should be balloted for, and the first ten infantry regiments and the first three cavalry regiments which came out should be absorbed. He would propose that all the officers of those regiments should then have their commissions paid for, both regulation and over-regulation prices; but they should be allowed to continue to serve, if they desired, the only difference being that these drawn and paid-off regiments would be no longer purchase regiments, and would then be in the same position as regards all the remaining purchase regiments whose turn had not yet come round to be drawn, as the 19th, 20th, and 21st non-purchase Hussar regiments, or the infantry regiments numbered 101 to 109, now stood in. If the House never granted less than £700,000 a-year, it would take 10 years to absorb all the purchase regiments. If, however, the Chancellor of the Exchequer found he could apply from his surplus revenue two or three times that sum, the operation would be proportionately advanced. In any case, the arrangement he had submitted to the Committee would have the advantage that it would keep good officers in the service; and, instead of causing a disinclination on the part of young men to enter it, because they found they were only filling the places of others who were making a rush to get out of it, the plan would have the effect of encouraging young men to join the Army, because they would find in it men of their own social status who were content to remain in the service. That was an important element of the plan; and another, not less important, was that it only dealt with so much of the Army as the Government was at the time prepared to buy up and absorb; his proposal contemplated that, till each regiment was drawn and absorbed, the purchase arrangement should exist in it as now. Thus, this scheme would enable the Government to do gradually that which they proposed to do immediately, but without the means of doing effectually. He would only add, in recommendation of this plan, that he had discussed it in concert with a very clever officer of the King's Dragoon Guards, who originated it, and who gave him the advantage of all his practical knowledge in maturing it. He hoped the Secretary of State for War would give it his consideration, for he thought it a proposal well worth his attention, and also of the attention of the Committee.

Sir LAWRENCE PALK said, the question of the abolition of purchase had been settled by the House, and they had now to consider the means by which that change should be paid for, and how the government of the Army was to be re-constructed — upon what plan, under what system, and at what expense. This was a very important question, not only for the Committee, but for the country at large, for it might involve the expenditure of a much larger sum of money than the Committee had been led to understand, and the figures given by the Secretary for War, if that right hon. Gentleman's intentions were not realized, might be entirely falsified. He had received a letter that day from a gentleman named Lingard, late a captain in the 21st Regiment, North

British Fusiliers, which had very much astonished him, and which he had authority to communicate to the Committee. Captain Lingard, not having so much faith in the promises of the Government as perhaps other officers might have, tried to sell out, and made application to the authorities, who informed him that he could not obtain the price of his first commission — £450 — until such time as the Government could find it—honest? no—convenient to pay the same. After he had sold out, he was credited with the sum of £1,350, the value of his commission being £1,800, and he was not permitted to receive the £450. Now, he (Sir Lawrence Palk) considered that conduct involved a breach of faith on the part of the Government which that House and the country would never stand, and if officers were to be treated in this way, he believed the number of retirements anticipated by the Secretary for War would be quadrupled, and that the cost for the first year, instead of being £600,000 would be £2,400,000, or perhaps more, and would end in the country being impounded for the sum of £12,000,000. The right hon. Gentleman had complained of the factious opposition offered to this Bill; but he (Sir Lawrence Palk) thought that hon. Gentlemen would fail in their duty if they did not come down to the House night after night to discuss this matter in all its details, and let the country see what price it would have to pay for this change and disorganization of the entire Army. It was also said that this Bill was for the benefit of poor men, and to prevent the Army from being merely the prize of the rich; but there were two examples which might be looked upon with advantage, for the Prussian Army was the most aristocratic army in the world, and the French Army the most democratic; and while the one afforded an example, the Committee might draw their own inferences from the other. For himself, he must say that if they were to have persons of humble means holding commissions, those belonging to a higher class would not enter the service. He must protest against being dictated to by Her Majesty's Government, and called factious when he was only doing his duty; and he should be extremely unwilling to offer a factious opposition to the Government on any measure, but the opponents of this Bill had not been fairly dealt with, for they had a right to demand fuller information than they had yet received, and while that information was withheld, he was determined, so long as any hon. Member would support him, to oppose this Bill on every word, on every line, and in every way that the forms of the House would permit.

Mr. DICKINSON said, the Committee should consider this question in a judicial spirit. Their great object should be to satisfy themselves as to the right principle on which officers ought to be compensated; and there ought not to be any great difference of opinion either as to the principle to be adopted, or the mode of carrying it out to a legitimate conclusion, if a doubt existed that should be solved in a sense favourable to the officers. *Primâ facie*, the proposal of the Government appeared to lay down the correct principle of compensation; it ascertained the saleable value of the commission held by an officer, and secured to him the payment of that value when, and if, he retired; but it took no regard of the effects of the change of system from one of promotion by seniority, tempered by purchase, to one of seniority tempered by selection—it left untouched the injustice that officers now laboured under, and would continue to labour under, in the liability to lose what they had paid under compulsion, unless they retired; and it confirmed a relative injustice as between non-purchase and purchase officers in securing the same compensation to both, though the one having paid had a clear right to a refund, and the other having paid nothing had no claim to compensation at all—the change of system being in itself to his advantage. He held that the regulation price of commissions had, in fact, been received by Government. They had derived from it a large "Reserve Fund," which they had applied for their own purposes, regardless of the interests of the officers from whom it had been received. He could not understand upon what principle money compulsorily levied from officers under a system admittedly vicious could be retained when that system was abolished. It was not legitimate to retain it as a fund for securing retirement and promotion; because that, if necessary for the public good, should be provided at the expense of the public, and not of the officers.

It appeared to him that the regulation prices should be returned to those who had paid them; but he could not bring his mind to admit that there was the slightest claim in justice for the return of the over-regulation prices.

Mr. CARDWELL said, they had had some large admissions, for the hon. and gallant Member for Bewdley (Colonel Anson) had admitted that the Bill was just as regarded lieutenant-colonels, but he asserted that it was unjust to captains and lieutenants. Now, if the hon. and gallant Member had regard to the ages of the last-named officers, he would come to the conclusion that there was no class of gentlemen in the Army so little likely to be losers under the new system as those officers; and in that conclusion he (Mr. Cardwell) was backed by his hon. Friend the Member for Stroud (Mr. Dickinson), who admitted that, *primâ facie,* the thing was just. The hon. Baronet the Member for East Devonshire (Sir Lawrence Palk) had no occasion to apprehend dictation from the Government; and, indeed, his whole conduct in Parliament showed that he was not afraid of any dictation from such a quarter. The hon. Baronet was exceedingly anxious to have information, and had accused him of speaking of faction. That was not his own expression, but was only a quotation from the language of those who were pursuing the course referred to, and he trusted that he had not shown any great impatience with reference to the opposition given to the Bill. With regard to the required information, he only declined to give it because he did not possess it. There was, moreover, no encouragement to furnish the hon. Baronet with information, for with regard to the figures already laid on the Table the hon. Baronet stated that he placed no faith in them, and raised the present value of the compensation to officers in the Army from £7,200,000 to £12,000,000. The hon. Baronet had read with indignation a letter stating that an officer had not received the sum of £450, being part of the value arising from the sale of his commission. Under the new system persons entering the Army would not be allowed to purchase, and therefore the money required for compensation to the present officers must be obtained by a Vote in Parliament; and, in consequence of the delay in regard to the Bill under consideration, the Government had not been able to submit a Vote to Parliament for the purpose, and the money to pay the £450 to the officer in question was not yet forthcoming. He believed, notwithstanding all that had been said about the unpopularity of the abolition of purchase, that there were many candidates ready to enter the Army with purchase if the Government would only take the money, though the hon. Baronet stated that no more candidates of the same class as formerly would be willing to enter the service.

Sir LAWRENCE PALK said, his statement was, that gentlemen would not be got to enter a service that was officered by a class beneath them.

Mr. CARDWELL said, he had presumed that the argument of the hon. Baronet was *ad rem,* and was to the effect that they would not get men to enter the Army—a line of reasoning completely refuted by the fact that while a Bill was in progress, which, when passed, would enable men to enter the Army without paying a farthing, there were candidates willing to pay £450. Could there be a more complete refutation of the argument? Dissatisfaction had been expressed in regard to the management of the Reserve Fund, and he would say he had never justified all that had been done with reference to it. Indeed, from the first moment he had anything to do with it, he regarded it as a fund for those who had supplied it, and had last year demanded £90,000 to be paid by Parliament to discharge the functions of the fund. But until Parliament had voted the money he could not pay it. The question really was, what should be done in the way of compensation to the present officers? and he contended that it was no part of the business of Parliament in abolishing purchase to make that system turn out more advantageous to existing officers than it actually was at the present moment. The business of Parliament was to give complete indemnity—neither more nor less—to those affected by what it was now doing. If it was impossible in minute arrangements to do perfect and accurate justice in every case, then the balance would be cast in favour of the officer. For the pecuniary value of the present commissions it was proposed to give complete compensation, both as to regulation and over-regulation prices.

It was said that the Government ought to put every officer in the position he stood in before; but were they to give him back his regulation price at once, and then leave him in the position of pre-eminence the regulation price had given him? It was said that no injustice would be done to non-purchase officers in the event of that being carried out; but a more flagrant injustice to them he could not imagine. If the Committee were to say they would give back to the purchase officer the money he spent in obtaining priority over the non-purchase officer, and also to maintain him in that priority, an injustice would be done both to the non-purchase officer and the tax-payer. But that was the proposal now before the Committee. The hon. and gallant Member for Bewdley (Colonel Anson) said the purchase officers came into the service expecting the purchase system would be continued, and that it was very hard upon a major who was expecting the command of the regiment not to be allowed to purchase the next step of lieutenant-colonel. But what was the position of the non-purchase officer who happened to be the senior major? Was he to be passed over by an officer who had obtained his position by purchase, and was the latter officer to receive back his purchase money, and at the same time retain his priority? Under the Bill, all that the purchase system professed to do was fulfilled to the uttermost.

COLONEL ANSON said, that it was of no use to discuss the question, for the arguments of those opposed to the Bill were never fairly met. Under the Bill the purchase officer who, as captain, had spent £1,800, losing say £80 a-year interest on this sum for a great number of years, would get back his £1,800 and receive his full pay, while the non-purchase officer holding the same rank, who had not lost this £80 a-year interest, would receive his full pay and in addition a lump sum of money. If his proposal were adopted, he did not believe that two non-purchase officers in the Army would complain, because they would really have no ground of complaint; as it was, purchase officers would find themselves superseded by the very men over whose heads they had purchased. As to the statement of the right hon. Gentleman, that ensigns were now readily paying £450 to enter the service, they did so with their eyes open; but that had nothing to do with the feelings of officers already in the service, who had entered believing the purchase system would continue. Such officers had no faith in the system of selection, which they regarded as likely to become a system of personal favouritism or political jobbery. It was quite true that the prices now paid for steps in rank were higher than ever. And why? Because, distrusting the system of selection in the future, officers were willing to sacrifice their money and pay a higher price for a step which they might not otherwise obtain. For instance, he had received many letters asking his advice, and his answer had always been —"If you mean to make the Army your profession, pay any sum you can afford." The fact, however, that higher prices had thus been paid afforded no criterion whatever of the popularity of the Government Bill.

SIR LAWRENCE PALK quoted from a Paper issued by the War Office, with a view of showing that the cost entailed by the Bill would be £12,074,384.

MR. CARDWELL insisted they were not his figures, the estimate of the Government being £7,214,000.

COLONEL STUART KNOX said, the right hon. Gentleman the Secretary of State for War had accused them of being, and they had been assailed in other quarters as a faction. But the right hon. Gentleman and the Prime Minister, in the case of the Ecclesiastical Titles Bill, tried with a small band to defeat the measure. A letter had been read from an officer of a regiment in which he had himself served—and he knew that the officers felt that they could not have faith in the Government — or, to avoid personality, he would say nation—which withheld from them the money to which they were justly entitled. The right hon. Gentleman asked why they still wished to purchase. He would tell him. It was because the right hon. Gentleman had stated that those who having purchased remained in the Army would have certain vested claims which should hereafter be recognized, and therefore they would be in a better position than those who might afterwards come in without purchase.

Question put, "That those words be there inserted."

The Committee *divided:* — Ayes 62; Noes 81: Majority 19.

SIR GEORGE JENKINSON moved to insert, in page 2, line 8, the word "new" in the first line of the clause, in order to make it read thus—"After the said appointed day no officer should acquire any new pecuniary interest in any commission." This was merely a verbal Amendment; but he thought officers would, under this Bill, acquire a vested interest in the over-regulation price, and he hoped that the Government would consent to the insertion of the word he proposed.

Amendment proposed, in page 2, line 8, after the word "any," to insert the word "new."—(*Sir George Jenkinson.*)

MR. CARDWELL said, so far as he understood, the Amendment would really make no difference in the clause; and he appealed to the hon. Baronet as to whether it was worth while to alter the clause in that way.

MR. PARKER thought the Amendment would change the meaning of the clause.

COLONEL JERVIS said, the clause as it stood was simply nonsense, and the Amendment was necessary to make it English.

Question put, "That the word 'new' be there inserted."

The Committee *divided:* — Ayes 38; Noes 58: Majority 20.

SIR WILLIAM RUSSELL moved to insert, in page 2, line 9, after "no officer shall acquire any pecuniary interest in any commission," the words "except as is hereinafter provided." He observed that, in moving this first short Amendment, and of which he had given Notice, he wished to say that it was one that in itself was entirely unimportant; but it formed part of the other Amendment of which he had given Notice, and he proposed, therefore, to discuss the two points contained in those two Amendments. In doing so, he wished it most clearly to be understood that this was not at all again raising the question of abolition or non-abolition of purchase. As he stated on the second reading of the Bill, that, well as the purchase system had worked, he was, for several reasons, in favour of its abolition, and that he considered this a very favourable time for doing it. It was, he considered, definitively settled by the division on the Amendment of the noble Lord (Lord Garlies), by the majority of 39, that purchase was to be abolished. It was now only a question of the terms being equitable to those whose conditions of service they were about to alter, and of what were to be the new terms of service under which they would be for the future. And the point to which he wished specially to call the attention of his hon. Friends below the gangway was the cost of a future scheme of retirement; and they could not suppose after the votes he had given that he was anxious to increase expenditure. The right hon. Gentleman the Secretary of State for War stated that he should be prepared in Committee to accede to any reasonable proposal as to a modification of the terms, and he trusted to be able to satisfy both him and the Committee that the proposals he now made were reasonable, strictly equitable, and advantageous. By the first part of the Amendment he proposed to give the officers an option of taking their regulation price down in full satisfaction of all claim; or, if they wished to receive the regulation and over-regulation price, their waiting for it until their retirement from the service. By the second part of the Amendment he proposed to give those who elected to wait a vested property in the money, so that in the event of their dying while serving their families would receive it. He thought the Government proposal required these modifications. There were two quite distinct sets of officers in the Army—those who had entered it for a few years with no intention of remaining — these were mostly the rich men; and those who intended to make it their profession, who liked the work and qualified themselves for it—the most part were the poor gentlemen, the best class in the world from which to take officers. Some, of course, of those who entered to make it a profession were rich men who, because they liked the profession, qualified themselves for it, but they were a minority. The Government said by their proposal—"You entered the Army with the understanding that you would have to pay money for your promotion; that whilst you were in the Army you would receive a certain small rate of interest for your money, which we would disguise under the name of pay for service; but, as the amount of this nominal pay would not really amount to ordinary interest on your money, you should really give your services to the country for nothing, on the understanding that if you left you should then receive back that money; but if you died in the service the money would be lost to your heirs. What we ask is that you shall continue to serve on these terms, but with this slight alteration, that you shall receive the money when you leave from us, and not from your brother officers." No officer could have the slightest objection to this if the other terms of his service were also left the same; but the Government also said—"We shall arbitrarily alter three of the conditions on which you set great stress, but we will keep you bound by such of the conditions as suit us." Now, this was, no doubt, a very plausible statement of the case, but a very one-sided one, on the part of the Government. They had, however, omitted two very important points in the terms of the original contract. The one was—"You shall be at liberty, by means of purchasing your further steps, to make whatever arrangements you like that will induce officers to leave, and so expedite your own promotion"—the sole object for which officers paid being quick promotion. The other was—"You shall have no one placed over your head by selection; so long as you do your duty properly you are certain of your promotion; and the fact of your being in India or elsewhere, under a tropical sun, doing your duty steadily and quietly, shall not tell against you, and it shall not be necessary for you always to be hanging about the offices of the authorities in London in order that your merit may be appreciated." Those two considerations the Government entirely ignored. They took from the officer the power to expedite his own promotion, and said—"We will select officers to be put over your head;" thus introducing a system of selection, which would become the greatest possible misfortune for the Army. He believed the Committee would agree with him, in thinking that, as the Government were proposing to alter the terms of the original contract in two such important points, and importing such entirely different arrangements on the Government side into the matter, that they were bound to grant to the officers some alteration in the terms of the original contract on their side, and not to stick to the pound-of-flesh principle on one side and not on the other. But that he feared was not likely to be got, and therefore he proposed a compromise which would be satisfactory to the officers, and would save the country certainly £1,000,000, probably more, of the over-regulation money. The Government proposal was most unfair to the officers who had made the Army their profession. The poorer men said—"We have educated ourselves for the service; we wish to remain in the Army; we have no intention whatever of leaving." Those surely were the men they ought to encourage. But the Government replied—"Oh, yes; we will be very liberal to you; we will give you money when you leave. You tell us you don't intend to go, so we intend to take advantage of it and pocket your money." This was a most barefaced mockery of justice, if not an insult to the officers. Now, if the Committee agreed to the first part of his Amendment, of giving an option to the officers of taking the regulation price down in full satisfaction of all claims, he believed the result would be that of the regimental officers no lieutenant-colonels nor majors would take it; no captains of cavalry or the Guards would take it, as they would lose so much money. About half the captains in the infantry, he believed, would accept it; certainly all who intended to continue permanently soldiers, and any who expected to stop more than seven years; say half, or about half the lieutenants and all the cornets in the cavalry and Guards, and all the lieutenants and ensigns in the infantry would accept it. By this means they would save out of the over-regulation of £2,821,912, a sum of £824,900, probably more, by an immediate instead of deferred payment of regulation, £2,684,840. That would be a very good arrangement for the country, as £824,900 would be a large discount to receive for £2,684,840. He could not believe that the Government would not agree to such an arrangement, as it would be, no doubt, very beneficial to the country as well as acceptable to the officers. The second part of his Amendment—that officers who did not elect to accept the immediate payment of regulation in full satisfaction, should have a vested property in both regulation and over-regulation, was, he submitted, a fair concession to make to the officers for altering their terms of service. Then, as to the future terms of service, he hoped Her Majesty's Government would at once place on the Table the regulations they had prepared. It was not unreasonable to ask this in the name of the officers of the Army, so that they might know whether they might retire after 20 years, or 25 years, or 30 years, or what would be the terms on which they would be permitted to continue in the service. He must say that, in the conduct of this Bill, the Government had shown the grossest incapacity and blundering. When the Irish Church and Land Bills were before the House the head of the Government had every detail fully worked out. He gave them the minutest details. Now, however, they were not at all prepared to state the amount it would cost the country; but he (Sir William Russell) thought, taking the artillery and engineers as a guide, the retirement necessary for the Army would certainly not be less than £1,000,000 a-year. Well, capitalize that and they had £30,000,000. Were hon. Gentlemen below the gangway prepared to meet their constituents with this proposal on the part of a Liberal Government? The hon. Member for Birmingham (Mr. Muntz) put it at that amount, and he believed that he was right. In spite of the assurance of the right hon. Gentleman the Secretary of State for War, that he was prepared to yield to any reasonable proposal, he had not yielded one jot. If he wished to pass his Bill this year he should be prepared to make some reasonable sacrifice of his own particular views, and he (Sir William Russell) trusted that he would accept what was now proposed, and what he believed to be a very fair compromise. The hon. Baronet concluded by moving the Amendment of which he had given Notice.

Amendment proposed, in page 2, line 9, after the word "commission," to insert the words "except as is hereinafter provided."—(*Sir William Russell.*)

Question proposed, "That those words be there inserted."

Mr. CARDWELL said, he must oppose the Amendment, and he thought it hard that the Government should be told that they were obstinate when in fact they had already made concessions. At first the almost only objection was that there was a limit to the number of officers that should be allowed to retire in any one year, and the Government withdrew that limit. They had twice decided upon the question whether the money was to be paid down, and having done so they were now asked to allow the option of taking the regulation value or not. What would the taxpayers think if they gave such an option? Unless human nature in the Army were entirely different from what it was elsewhere, the result would be that everybody would take the money where it would be a gain, and no one where it was not.

Colonel CORBETT said, that that measure could hardly be called a matter of compromise at all, as it was a measure forced upon the officers against their will. He could not see the justice of withholding from the officers the money that they had laid out. The Bill would be very disadvantageous to the officers who had purchased not only for the present, but for prospective advantages, which latter would be taken away entirely. The non-purchase officers would be placed in a better position than they held now, because they would take their promotion just the same as the purchase officers. He was sorry for the taxpayers, because they would have to pay for that which would be no benefit to them; but it would not be just and honest to keep back the money which had been paid by officers, and which they wished to have returned to them.

Sir FRANCIS GOLDSMID said, that having listened, so nearly as he could calculate, to about 50 speeches from hon. and gallant Officers, indicating a conviction that they and their comrades were very harshly treated by the Government Bill, he thought that he might venture, just for once, to state the very different conviction which he, having no military constituents, and looking at the matter on behalf of the taxpayers, entertained. When he first read the Bill, he had felt the greatest difficulty to understand on what principle the over-regulation prices were to be paid to officers. Their case, so far as respected these prices, appeared to him to be precisely analogous to that of the owners of close boroughs in 1832. The borough owners had privileges which were recognized by practice but condemned by law.

When these privileges were abolished they received no compensation. Over-regulation prices also had been recognized by practice but condemned by law; and he did not see why, on any principle of strict justice, compensation was to be paid for them. The only ground on which he had made up his mind that he might support this provision of the Government Bill was, the hope that the officers of the Army, being treated with generosity rather than with mere justice, might be disposed, if not to consent to, at least to acquiesce in, the abolition of purchase, and that the measure might be carried without exciting the hostility of the gallant men whose services to their country all were inclined to recognize. But if the hon. and gallant Members for Bewdley and Norwich, and others who had spoken in a similar sense, were to be regarded, as they claimed to be, as representing their comrades, it must be owned that this hope was entirely disappointed. Not only had hostility not been disarmed, but it had been exhibited in an opposition more pertinacious, more avowedly obstructive, than any he had ever witnessed during the 10 years for which he had had the honour of a seat in that House, or in fact, he believed, than had ever before been offered. Now, if good-will was not to be gained, nor hostility softened, by generosity difficult to justify, he must own he thought it would be better that Parliament should content itself with the payment of those regulation prices which alone, on the abolition of the purchase system, he believed that the officers were really entitled to claim. Hon. and gallant opponents of the Bill were delaying it to the utmost, and had more than once expressed a hope that it would not be passed without an appeal to the constituencies. He (Sir Francis Goldsmid) trusted that the measure would at once become law; but if those whose perpetual eloquence was poured out against the Bill, should unfortunately for the officers whose cause they were assuming to advocate, succeed in bringing about an appeal to the constituencies, he was persuaded that the result would be that the next House would be strongly impressed with the national conviction that the purchase system ought to be abolished, and that without any payment of over-regulation prices.

COLONEL NORTH said, he thought that the hon. Baronet the Member for Reading should have thought more of the constituencies, in reference to the Government proposition to spend £12,000,000 or £14,000,000 of money—an expenditure which had never been asked for, either by the officers or the constituencies; and especially so as at the present time they were called upon to supply a deficiency of £2,700,000 by means of 2*d.* extra upon the income tax. He considered it his duty to oppose the Bill to the utmost of his power, because he felt that the interests of the British Army were at stake.

MR. M'LAREN said, he was of opinion that the present proposal was the most objectionable one that had yet been made. The House had rejected the proposal that the sum should be paid down once for all; and now they were asked to give officers the option to demand the money, or to let it remain until they should retire. The effect of this would be that all those officers whose pecuniary interests were that they should have the money down would demand it, whilst those whose interest was that it should remain would let it remain. He could not, for his part, see how, as a matter of equity, officers were entitled to be paid the over-regulation price.

LORD ELCHO said, he agreed that the subject was not sufficiently understood; but the dwindling majority of the Government showed that it was being better understood day by day, at least, in that House. The majority of the Government was supposed to be 120; but on the crucial point, the abolition of purchase, the majority was only 39. [MR. ANDERSON: 40.] The official declaration was 39 only. Contesting the statement that the officers were not in equity entitled to over-regulation money, he argued that as contracts made by the directors of a commercial concern were binding on the shareholders in that concern, so over-regulation money having been paid with the full cognizance of the highest authorities, though contrary to law, was a contract which should be recognized by the country, simply because it had grown up with the full knowledge of the representatives of the country, and therefore virtually under their sanction. With respect to purchase, he did not look upon it solely as an officer's question, but as a question of the interest of the taxpayer, and he maintained that the Government proposed to spend many millions of the public money for purposes that were wholly unnecessary. The five points which had been raised and advocated by the Government and their supporters as the very foundation of that measure could all be met by the existing system, without incurring the vast and unknown expenditure in which they were now invited to embark. They had been told that what the Government wanted for the Army was not officers who entered it for a short time and then sold out, but a class of officers who would remain in the Army and make it their profession; but that was the very class with whom the Government were dealing harshly, and one with respect to whom he had heard that measure called a swindle. Under the present system, which they had not got rid of, and which a majority of only 39 said they should get rid of, the cost of retirement was borne entirely by the officers of the Army. And not only that, but out of the officers' money they did a great many other things besides. Under the Government scheme that retirement would not be borne by the taxpayers or by the State, but, practically, it would be covered by the sum which the Government proposed that the House should vote—namely, £600,000 for the present year, £1,200,000 for the next year, and so on. But he would ask whether the time must not come—the hon. and gallant Member for Bewdley (Colonel Anson) had said it must come in about five years—when, besides the £7,000,000, £8,000,000, or £10,000,000, which they would pay in purchasing up commissions, the retirement, which had been borne hitherto by the officers, and which for a certain period under the Government scheme would not be borne by the State, would fall wholly and exclusively upon the taxpayers. That, he asserted, was undeniable; the only question was when it would begin. The sum requisite for that retirement had been variously estimated. For instance, the hon. and gallant Gentleman the Financial Secretary to the War Office had given them the calculations of Mr. O'Dowd two years ago. Since then the hon. and gallant Gentleman (Captain Vivian) had repudiated Mr. O'Dowd's calculations; but Mr. O'Dowd himself did not repudiate them; and, according to them, that retirement would cost the State £1,000,000 sterling a-year at the least. Capitalizing that sum they would get at the amount which had been spoken of, and which varied from some £30,000,000 to £40,000,000. The hon. and gallant Gentleman the Financial Secretary said that under that Bill they were going to alter the system of reserves and of recruitment, and to do away with pensions, and that that would meet that retirement at some future time. Now, he had read recently in the leading journal, which was very favourable to the Government on that question, an article that struck him as a very remarkable sign of the times, and that looked rather like a flag of distress, or the throwing out of skirmishers to protect them in their retreat, when they wished to take up some strong position. It was there pointed out that, as far as was at present known, their scheme of recruitment and of doing away with pensions was likely to break down altogether. He had always thought that no inducement was held out by their scheme of recruitment to labouring men to enter the Army, and, after a short period, to go into the Reserve with no pension and no prospect before them but simply the honour of serving the Secretary of State for three years, and then be cast adrift upon 4*d.* a-day. [An hon. MEMBER: Question.] He must respectfully tell the hon. Member the connection of the Secretary of State for War, and who gave his attention to these subjects, that he was endeavouring to keep to the question. [Mr. DODDS: Oh, oh!] The hon. Member for Stockton, who was always calling everybody to Order in that House, was himself generally out of Order; and the other night the hon. Gentleman called him to Order for walking across the House, without being able to show that it was irregular. This Amendment had been moved with the view of modifying the Government scheme for the abolition of purchase, and therefore he had said nothing that was not perfectly germane to the question under discussion. He was pointing out to the hon. and gallant Gentleman the Financial Secretary that his figures were not accurate, and that even in the opinion of the leading journal the new system of recruiting had broken down. And now as to the question of the so-called vexatious opposition that had been offered to the Government scheme. A good deal would have to be said upon that subject in a more formal way before the end of the Session; but was it offering vexatious opposition to the Government measure to seek to know what their system of retirement was? The time would come when the Government would have to meet the people of this country face to face on this question of retirement. But he would assume, for the sake of the argument, that the right hon. Gentleman the Secretary of State for War would get men to come and serve for three years, and then to remain in the Reserve for 4*d.* a-day.

MR. PARKER rose to Order. The noble Lord was discussing the state of the recruiting market, and not the question of the abolition of purchase.

LORD ELCHO said, the hon. Member for Perthshire must blame, not himself, but the hon. and gallant Gentleman the Financial Secretary, for his being compelled to refer to the breakdown that had occurred in the Government recruiting system. But, in debating a subject which had been discussed for two months already, and which appeared likely to be discussed for two months more, it was impossible that hon. Members could omit from consideration all statements that had been made by Members of the Government with respect to it that had not been made since 5 o'clock that afternoon. The hon. Gentleman's partiality for the Government Bill had warped his better judgment, and in his cooler moments he would think better of the matter, and would be sorry that he had spoken. If the Government scheme were to be adopted, the country would eventually be the loser of £1,000,000 a-year by this system of retirement. He must protest against this wicked and wasteful expenditure. [MR. DODDS: Oh, oh!] "When that cheerful voice I hear." The hon. Member for Stockton must know perfectly by that time that he was as unaffected by his groans as by his cheers. The hon. Member was always calling other hon. Members to Order when he was really out of Order himself. He (Lord Elcho) called an expenditure wicked and wasteful when it was unnecessary, for all that was promised to be effected under the new system might be effected under the present system with perfect ease. No incompetent officer could obtain the command of his regiment without the sanction of the Commander-in-Chief under the present system; under that system every officer might be compelled to show that he was fit for his post before he was appointed to it; and, if necessary, the British standard of efficiency might be raised up to that of the Prussian. If our officers were not efficient at the present time, that was the fault of the Government, who had neglected to require them to undergo the necessary tests to secure their efficiency. In his humble opinion, it would be better for the Government to render the present system efficient, rather than to plunge the country into an unknown expenditure for unknown objects.

MR. RYLANDS said, the noble Lord (Lord Elcho) had spoken with his usual ability for half-an-hour; but he had heard him make the same remarks on the second reading, and it could not be for the public advantage that such speeches should be repeated night after night. If the Horse Guards and the War Office had, as the noble Lord said, sanctioned the illegal practices to which he referred, those military authorities were guilty of a violation of their duties, and, like dishonest directors, deserved to be turned out of their offices. He (Mr. Rylands) could not support the Motion before the Committee, for he considered it disadvantageous to the public interests, and fatal to the principle of the Bill; and in bringing forward the Amendment which he intended to move, he thought he should be able to show that there was no ground for asserting that the military authorities had sanctioned those illegal practices, and, therefore, that the country was not bound to recoup the sums which gentlemen had paid in defiance of Her Majesty's regulations.

MR. SALT said, this question had been truly described as not only an Army, but a taxpayers' question. It was eminently a taxpayers' question. The officers had had their innings, and he believed the time had come for the taxpayers to have an innings. He was satisfied the people at large did not thoroughly understand this question of purchase—were not aware of the enormous sums they would have to pay for the abolition of purchase. The Returns which the Government had furnished to the House with reference to the amount that would have to be paid for that purpose were most indefinite. It might be £12,000,000 or £16,000,000; or, according to men who were competent to form an opinion, it might be double that amount. Besides the money was proposed to be raised in a manner most inconvenient to the country, because it would involve the country in an expenditure of from £500,000 to £1,500,000 yearly for an indefinite number of years. And, moreover, during that period of expenditure the country might have to engage in a war or to meet some great emergency. This country had often expended very large sums for great purposes; but, on these occasions, the country was distinctly informed of the amount that was wanted to accomplish those purposes. At present, however, the Government wished to pledge the House to something it did not understand. Consolidation or simplicity was wanted in our military arrangements. He had served in the Militia, and it struck him that in case of a sudden invasion he should not have the slightest notion what his place would be, and he felt that nobody else knew. It was exactly that feeling one wanted to remove. All were ready to fight; but they wanted to know where and when. To a certain extent, the Secretary for War had dealt with the question of a simple and efficient arrangement of our forces, and for that he was entitled to sincere thanks. The country wanted Army organization; but it wanted economy at the same time. Economy was the very battle-cry of the Ministerialists, and, if this Bill passed, every speech uttered by them on the hustings would be entirely violated. The Government said that if the Bill passed the Army would still be officered by exactly the same class of officers, and therefore the country was asked to pay an enormous sum of money in order to gain precisely the same services which it had at present. Now, he did not know whether the Government would deal with the private soldiers as they proposed to deal with the officers; he hoped they would be very cautious in altering their position, and not make changes too rashly. There were few men he liked better than real *bona fide* English soldiers, for there was a simplicity and an honesty in their character which he had never seen equalled among any other class of men. He had had a conversation with a very intelligent soldier on this subject, prior to the introduction of the present Bill, who had said—"What we soldiers want is to feel that when our service is ended we shall have a provision for life. Give us our shilling a-day pension when we are done for, and let all the old soldiers for the rest of their lives live respectably. As it is, you drive them into the gaol or the workhouse." A shilling a-day was something for a man to look forward to, and he might remark that there was no better recruiting officer in the world than an old pensioner in a country village. There was another matter which must be explained to one's constituents. The result of the Government proposal was a great increase of Army expenditure; but the present Parliament was specially elected for the purpose of promoting economy, and when hon. Members opposite canvassed their constituents and addressed them from the hustings, they used the term in its strongest and strictest sense. How, then, could hon. Members go back to their constituents and say—"We have been increasing our Estimates and spending millions of money?" During the many decades of the present century, which had been so prolific in great events, there never was a time when war seemed not only so unlikely, but so nearly impossible as at present. Poor France, the great creator of wars, was for the moment crushed; Prussia was satisfied; Austria had had her war and wanted no more; Italy had no money; Spain had her own affairs to settle; a treaty had been entered into with the United States which it was to be hoped would effect a permanent reconciliation between us and our American cousins; Russia threatened us, but we would not fight; and Turkey would not fight without us. Whence then, was war to come? Why should we spend millions in increasing the Army? We might organize and prepare; but we ought, at all events, to conduct that organization and preparation with economy. Constituents would say to hon. Members—"Do not spend money needlessly. Make our Army a thoroughly good one; but, before you spend these enormous sums, give us time to thoroughly consider and to understand the subject."

THE CHAIRMAN: I was very unwilling to interrupt the hon. Member for Stafford who has just sat down, as I am always unwilling, consistently with my duty, to interpose in the course of a speech; but I must really remind the Committee that the Question before us is the Amendment which has been moved by the hon. and gallant Baronet the Member for Norwich (Sir William Russell); and it is an Amendment dealing with the condition under which compensation is to be given to officers. The speech which we have just listened to was a speech which might have been construed in a liberal sense into one addressed to the Question that the whole clause stand part of the Bill—certainly, it was not a speech addressed to the subject before the Committee. I hope that hon. Members will address themselves more directly to the Question before the House.

Mr. A. GUEST said, he wished to repeat a question which he had put on a former occasion to the right hon. Gentleman the Secretary of State for War, but to which that right hon. Gentleman had not given a reply. The question was, whether an ensign or a lieutenant who paid £450 for his commission would be kept out of his money and the interest thereon while he remained in the service, and yet receive no higher pay than ensigns or lieutenants who had not purchased their commissions? If so, the former would practically receive £22 10*s.* a-year less than the latter, calculating the interest of his money at 5 per cent per annum. The British ensign was not so wonderfully well paid that he could afford to lose even so trifling a sum as that. He trusted the right hon. Gentleman would give the Committee some explanation on this point.

Mr. CARDWELL said, there could be no question that as between one officer who paid £450 for his commission, and another who obtained his commission without purchase, the advantage was on the side of the latter. That advantage, however, at present existed; and if it was likely to produce the disastrous consequences of which the hon. Member had spoken, his only answer was, that he wondered they had not discovered the ill effects before.

Colonel RUGGLES-BRISE said, he had voted against the 2nd clause of this Bill, because he found that his constituents did not approve the proposed large outlay being made without some further explanation being given as to what advantage the country was to derive from the expenditure. He had hoped against hope that party feeling would not be introduced into the discussion on this Bill, and the blame of its introduction must rest on those who sat on the Government side of the House, for many of them were in favour of the Amendment that had been proposed by the hon. Member for Birmingham (Mr. Muntz); but as the Government turned that question into one of want of confidence, they were prevented from expressing their opinion on the real issue. It followed, therefore, that this Bill was the measure, not of the country, but only of the most strenuous supporters of the Government. Among the arguments advanced in favour of the Bill were—first, that by the abolition of the purchase system the Militia and the Line could be amalgamated; and, secondly, that the services of more scientific officers could be obtained; but both those advantages would be derived without abolition. The only argument that remained was the principle of selection, and then seniority in regimental promotion must be the rule and selection the exception. He wished to obtain from the right hon. Gentleman the Secretary of State for War a clear statement of his intentions with respect to the transfer of officers from the Line to the Militia.

Mr. ACLAND rose to Order, and desired to know whether the hon. Member was speaking to the Question before the Committee?

The CHAIRMAN said, he had already stated that the Question before the Committee was the Amendment of the hon. Baronet the Member for Norwich, which was concerning the manner in which compensation should be granted. He would again point out to the Committee the inconvenience and the irregularity of discussing the whole clause on an Amendment, because, in due time, he would have to put the Question, that the clause stand part of the Bill.

Colonel RUGGLES-BRISE said, he was about to speak on the subject of the amalgamation of the Militia with the Line, because the employment of officers that would ensue would result in diminishing the expenditure on retirement. The Secretary for War had stated what were his intentions with regard to the officers of the Militia, and does not propose to supersede them by officers from the Line.

Mr. ACLAND again rose to Order, and asked the Chairman whether the hon. Member was justified in returning to the subject?

The CHAIRMAN presumed that the hon. Member was about to confine himself to the Amendment; but he would point out that it would not be conducive either to Order or to the credit of the Committee if hon. Members could not confine themselves to the Question in a business-like manner. It was not for him to be continually rising and pointing out to hon. Members what would really amount to what they ought to say. He trusted to their judgment to confine themselves to the Question before the Committee.

Colonel RUGGLES-BRISE hoped the hon. Member for North Devon would not interrupt him again after the admonition he had received.

Mr. GLADSTONE asked the Chairman whether the admonition was not directed to the hon. and gallant Member for East Essex himself, rather than to the hon. Member for North Devon.

The CHAIRMAN stated that, in the first instance, he had addressed the hon. and gallant Member for East Essex who was speaking; in the second, he had addressed neither admonition nor reproof to anyone.

Colonel RUGGLES-BRISE continued, by saying that the right hon. Gentleman the Secretary of State for War had announced his intention to find employment for retired officers on the Staff of the Reserve forces, but he contended that it was impossible to dispose of more than a limited number of officers in that way, there being now as many, or nearly so, as were likely to be required. He feared that the right hon. Gentleman had not sufficiently considered this subject, and he should advise him to limit the Bill for this year in its operation to the abolition of regulation prices, or withdraw it altogether.

Major DICKSON said, he would not have risen but for the assertion of the hon. Baronet the Member for Reading (Sir Francis Goldsmid), that the Members on the Opposition side of the House were thinking more of the interests of the officers than the interests of the country. He repudiated the charge. He opposed the Bill because he conscientiously believed that it was adverse to the best interests of the country. The theoretical beauties of the Bill might be very great; but if this clause unfortunately became law, it would entail on the taxpayers of the country a heavy and permanent addition to the taxation of the country, and would destroy the efficiency of the Army both with regard to the officers and the men. The whole of their legislation tended to drive officers from the service, and they would have to be replaced by young men, inexperienced, and physically and morally inferior to the officers driven out. The short-sighted policy which had induced the Government to forbid exchanges would also have the effect of driving hundreds of officers from the service. The officers knew not what might be the Government policy in the next Session, nor what course might be taken by Parliament, and hence arose the difficulty which was experienced by many hon. Members in deciding on the votes which they should give. He trusted that the right hon. Gentleman the Secretary of State for War would, after Whitsuntide, lay on the Table of the House the regulation measures which were to be supplementary to the Bill, and without which the House could not satisfactorily determine how they ought to vote. In the absence of those regulations, he should vote for the Amendment of the hon. and gallant Baronet the Member for Norwich.

Colonel BARTTELOT said, he should support the Amendment of his hon. and gallant Friend the Member for Norwich. The terms offered by the Government were not unfair to those who wished to leave the Army in a year or two; but they were unfair to those who wished to continue in the service. The Amendment of his hon. Friend remedied this defect, by paying down to those who wished to stay the regulation price of their commissions. Officers had already made up their minds what they would do on the presumption that the Bill passed into law; the Government would, therefore, have no difficulty in getting such information as would enable them during Whitsuntide to prepare a complete scheme of retirement. He looked at the Amendment in its broadest bearing. He had no wish to say anything that was not in accord with the feeling of the majority; but one significant fact had occurred to-night. There had been one division with no fewer than 200 pairs, the numbers actually voting being 82 to 63, giving a majority of 19. Now, he did not think that majority would fairly represent the feeling of the country. His belief was it would be the other way. Let the Bill be fairly tested on its merits. Hon. Members below the gangway, if true to their instincts, and likely soon to meet their constituents, would be found opposing this Bill. The Government had adopted a "hard-and-fast line," and were determined to sit day and night until the Bill passed—they made no concession, and compelled the Opposition to contest the Bill in a way he disliked. He appealed to the right hon. Gentleman the Prime Minister to show a little more conciliation, for, although his power and his genius commended him to their special consideration, they did not like to be dictated to. He hoped the right hon. Gentleman would soon furnish them with the retirement scheme—[Mr. GLADSTONE smiled]—the right hon. Gentleman smiled; but he (Colonel Barttelot) could assure him that he had no idea of what his scheme was, and, for that reason, hardly knew what course to pursue in the matter.

COLONEL JERVIS said, that he should venture to address the Committee, in spite of the difficulties thrown in the way of independent Members, especially by the right hon. Gentleman the Prime Minister, who had endeavoured to stop the freedom of debate in that House if he possibly could. He could not understand what difficulty the War Office could have felt in respect to estimating when a man should be held to have completed his term of service. But, in truth, during the evening they had been talking in the dark, for the absence of data on which to argue had been absolute. For the last two months they had been discussing this Bill, but without one word of enlightenment from any occupant of the Ministerial bench; and, moreover, whatever had been said on the other side had been frequently misrepresented by the Members of the Government, and their conduct with regard to the matter reminded him (Colonel Jervis) of the saying of Lord Palmerston —that there were two complimentary modes of meeting a proposition: the first was to say nothing about it; the other was totally to misrepresent the objections, and instead of answering it to answer something entirely different. If the right hon. Gentleman thought he could carry the Bill in that fashion he was in error. There was not a peasant looking forward to enlisting, nor a father who intended adopting the Army for his sons, who would approve of the measure that would make all their prospects uncertain. It was childish to go on as they were now doing. No profession was ever chosen by a man unless he could foresee pretty clearly his future progress in it; but the Army was henceforth to be a profession in which everything would be uncertain and confused.

SIR JOHN PAKINGTON said, he did not rise to address himself to the Amendment before the Committee, but to make a suggestion. He understood it had been stated by the right hon. Gentleman at the head of the Government, at an early hour in the evening, that it was intended to take a Vote of Credit on the Civil Service Estimates, and that the right hon. Gentleman the Secretary of State for the Home Department wished to make some progress with the Water Bill. They had now arrived at half-past 10 o'clock; the progress they had made in Committee on this Bill had been extremely small, and he, therefore, wished to know what was the intention with regard to the two items he had mentioned? He also wished to take this opportunity of suggesting whether, in reference to this most important and difficult measure, it would not be better for the Government to avail themselves of the interval of the approaching Whitsuntide Vacation to re-consider the provisions of the Bill. ["Hear, hear!" *and* "Oh, oh!"] He was accustomed to those sounds from the Opposition side; but he would not complain of their rudeness, for they were divided; but as a frank and decided opponent of the Bill, he was now addressing the Government in good faith, and he asked them whether they thought that there were 20 hon. Members in the House who really approved the Bill? He conscientiously believed that there were not. There had been long and protracted debates upon it, and hon. Gentlemen rising alternately on each side of the House had spoken unanimously against the Bill. If the Government intended to persevere in their determination to pass this most unwise and obnoxious Bill, he recommended them to get some one on their own side of the House to support it; and he begged to suggest that they were not justified in throwing out against the Opposition side of the House accusations of factious conduct. The right hon. Gentleman at the head of the Government had not himself shrunk from making that charge of faction; but, before making such a charge, the Government were bound to take into consideration the extreme importance and difficult nature of the measure, and they had no right to complain and impute factious motives if, upon a Bill brought forward to saddle the country with millions of money and to revolutionize the Army, hon. Members exercised their undoubted right to protract the debates, not in a factious manner, but in a fair spirit of resistance to a measure which they considered most dangerous. He hoped the right hon. Gentleman would take these matters into consideration, and make up his mind, during the Recess, as to the best course to be taken with reference to this Bill. Was the feeling out-of-doors in favour of the Bill? Why, that very morning he had a conversation with a Friend who had been for many years a decided supporter of the party opposite, and a most respected Member of that House, and his opinion was that the Bill was a wanton waste of public money. He had also had a conversation within the last few days with an officer of one of the finest cavalry regiments, who said that he had asked three officers in his regiment, promoted from the ranks, what their views were with regard to non-purchase; and that their answer was that it would be better to let things go on as they were, and that, at present, they knew what they had to retire upon. He believed that those men spoke the sense of the great majority of the officers who had risen from the ranks. Neither the opinion of that House, nor the opinion of people out-of-doors, was in favour of the Bill. The opinion of the public naturally was that the Government were proposing to throw on the country a pecuniary burden for an object not worth the money. He suggested that a division should now be taken on the Amendment of the hon. and gallant Baronet the Member for Norwich, and that, during the Recess, the Government should consider whether it would be desirable to persevere with a measure which was generally disapproved.

Mr. GLADSTONE concurred with the right hon. Baronet (Sir John Pakington), when he said that the time had come for taking a division, and was unwilling to delay the decision of the House on the Amendment, even for a few minutes; but he must observe that the right hon. Baronet was entirely in error in saying that he had charged hon. Members with objecting to the Bill with factious conduct, for whatever uncharitable thoughts might have arisen in the inner penetralia of his mind, he had studiously avoided making any such statement. [Sir John Pakington: I heard you use the words across the House.] That was like the other of the right hon. Baronet's private conversations, for the right hon. Baronet, having had a conversation with a distinguished officer, immediately assumed that that officer expressed the opinion of the people of England. Now, without attempting to discharge the functions of a lexicographer, and give the meaning of words, he must observe that the right hon. Baronet had declared that he meant to offer to the Bill an obstructive opposition.

Sir JOHN PAKINGTON said, that not one word escaped his lips, except to the effect that he would offer a fair Parliamentary opposition to the measure.

Mr. GLADSTONE said, that the right hon. Baronet did not deny absolutely that he had announced his intention to offer obstruction to the Bill; and what one side of the House called factious opposition, the other side thought a perfectly fair and honest opposition, necessitated by the extreme gravity of the case. At any rate, there was no doubt that the opposition to the Bill was one of an unusual character. On an occasion when his hon. and gallant Friend behind him moved an Amendment of an important character, but perfectly definite and intelligible, and capable of being discussed with edification and profit in speeches of five minutes' length, speeches had been delivered which he did not hesitate to say from first to last—and in some particular and distinguished instances which he had before his mind's eye—were speeches upon the second reading of the Bill; and the Chairman of the Committee, once spontaneously, and afterwards on being appealed to, had to deliver authoritatively his decision that the course of the discussion was not agreeable to the usual mode of proceeding, or to the convenience of the House. Therefore, he repeated that a somewhat unusual opposition was offered to the Bill—an opposition against which the Government had no means to employ, except patience, perseverance, persistence, and a resolute sacrifice of personal comfort, in vindication of the absolute right of a majority of this House, if it thought fit, to give effect to its opinions against the view taken by the minority. For that principle, apart from the importance of the Bill itself, it was the intention of the Government to spend and be spent as long as the majority thought fit to sustain its own opinions. The right hon. Baronet further said the Government could not obtain in this House speeches in favour of the Bill. Now, if they could presume to exercise any influence at all with their Friends, it would be to entreat them not to speak in favour of the Bill. Such speeches were a perfect godsend to hon. Gentlemen opposite, who, though their command of words might be termed inexhaustible, yet, according to the law which governed all human affairs, did, after a certain time, begin to feel that they were near the end of their resources. A speech to be answered was a new starting-point—an access of life and vigour to orations like those made to-night; and, much as he valued the speech of his hon. Friend the Member for Reading (Sir Francis Goldsmid), the Government had paid dear for it in the results it produced. As to the other business appointed for this evening, the Water Bill of his right hon. Friend the Home Secretary, important as it was, must take its chance along with other measures, the duty of the Government being to fasten its attention upon that which was of primary importance.

LORD ELCHO said, as the right hon. Gentleman the Prime Minister had announced it to be the intention of the majority to force their views upon the minority, it was right the country should know that in the division to-night 552 Members, including pairs, had taken part, the Government majority being only 19.

SIR GEORGE JENKINSON said, on the question of exchanges the Government majority was 43; on the abolition of purchase it was 39; and to-night, as the noble Lord said, it was only 19. He asked whether, under these circumstances, the Opposition could be taunted with unconstitutional, factious, and obstructive proceedings? He had never joined in such opposition, and believed that during the holidays the middle classes, who were pinched by the increased income tax, would ask themselves why they should be so pinched to pay for the abolition of purchase?

MR. STAVELEY HILL said, he had at first thought purchase was a bad thing; but was convinced to the contrary on reading one of the speeches of the hon. Member for the Border Burghs (Mr. Trevelyan), and his impression was confirmed by these debates. The feeling in favour of maintaining the purchase system was growing throughout the country, as he could, with confidence, say that he had confirmed it by personal observation. It was, therefore, important that the country should have more time for the consideration of the Bill, and, as he did not wish to "spend or be spent," he should now move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Staveley Hill.*)

MR. R. N. FOWLER said, the military Members in the House were not in the habit of wasting time, and it was only fair that they should have opportunities for submitting their views to the House upon a professional question of such importance, and that they should have a fair hearing. With one exception, no military man in the House supported the Bill, except those on the Treasury bench.

CAPTAIN GROVE said, he must deny the statement which had been made by hon. Gentlemen opposite, that military Members on the Ministerial side were opposed to the Bill because they remained silent. Their silence did not, at all events, arise from want of interest in the measure, but arose from the fact that they did not wish to increase the confusion caused by the long speeches of hon. Members opposite. He, for one, was of opinion that the Army up to this time was in a most unsatisfactory condition, seeing that we were paying £16,000,000 a-year for a force which was ludicrous in point of numbers. He thought, therefore, that unless something like a scheme of re-organization had been proposed from the Treasury bench the country would have much reason to complain. The present Bill was, in his opinion, a move in the right direction, and that he believed was the general feeling of the country.

LORD EUSTACE CECIL said, he was glad to find a military Member of the House was alive to the fact that the Government Estimates for the Army were £16,000,000 a-year. He thought it possible that the hon. and gallant Gentleman (Captain Grove) would have also stated what the cost of the abolition of purchase would be, but he had entirely eluded the question before the Committee. As to the feeling of the country on the subject, he could only say that the number of Petitions which had been presented with respect to the Bill was only six, and that everyone of them was in opposition to it. Where, then, was the wonderful feeling of the country in its favour?

MR. OSBORNE MORGAN said, he would observe that, while the right hon. Baronet the Member for Droitwich (Sir John Pakington) had characterized the Bill as leading to a waste of public money, he regarded the speeches made in opposition to it as a waste of public time. He should like to know what hon. and gallant Gentlemen on either side of the House would think if members of his profession were to get up night after night and obstruct the passing of a great measure of law reform simply by talking against time? He could not help thinking that the feeling was rapidly growing up that the time of that House was being wantonly and undisguisedly wasted by the opponents of that measure.

VISCOUNT BURY said, the hon. and gallant Member for Wiltshire (Captain Grove) had remarked that the Army had long been going to the bad, and that it would be altogether destroyed unless some measure of re-organization such as that proposed by the Bill were inaugurated. Now, what he complained of was, that the present Bill was not a Bill for the re-organization of the Army, but a Bill for its destruction. His objection to the scheme of the Government was, that whereas the very foundation on which our Army was built was absolutely cut away by the Bill, no information was given to the House as to how the Army of the future was to be constructed. He should also like to know whether the sum of £16,000,000 which the hon. and gallant Gentleman said were expended on the Army had been increased or diminished this Session by the proposal of the Government? He, as well as others, who were opposed to the Bill were in favour of Army re-organization; but they were not supporters of a destructive measure which would increase the burdens of the country, but would not give it an effective Army. He had, he confessed, listened with astonishment to the speech of the right hon. Gentleman the Prime Minister, who had characterized the remarks of those who opposed the Bill as being a perennial flow of eloquence. He thought such a flow was to be found in rather a different quarter.

LORD ELCHO said, that as some question had arisen as to the feeling out-of-doors with regard to the Bill, and the conduct of those who opposed it, he might mention that the leading journal, which always represented the feeling of the railways and the Mart and the Exchange of the day before, had, that very morning, stated that the course taken by the Opposition was justifiable, and that it was the duty of the Government to give an estimate of the cost of retirement, so that the House should be informed as to the exact nature of their scheme.

COLONEL STUART KNOX said, the Government were quite welcome to the arguments in favour of the Bill which had been advanced by the hon. and gallant Member for South Wilts; but he wished to congratulate the Committee, the Government, and the country, on the fact that the oracle had at last spoken—the right hon. Gentleman at the head of the Government had at last given utterance to his views. One of the observations of the right hon. Gentleman was, that he did not wish for the assistance of his Friends, which must have been a very humiliating statement to those hon. Gentlemen who sat behind him.

MR. CLAY said, he had heard it said of a work, which some years ago made some noise, that it contained many things which were true which were not new, and many things which were new which were not true. He certainly had listened to several arguments for the last few weeks, which might be true, but which he had heard repeated 20 times over; and as to the new matter, he would only hope that the hon. and gallant Gentleman the Member for Wiltshire was correct, and that the House was to have 10 days' holiday. He put it to hon. Members whether it was consistent with the dignity of Parliament to make in Committee on a Bill not one, but ten or twenty speeches which ought to have been delivered, if at all, on the Motion for the second reading, and then to move to report Progress at a quarter to 11 o'clock.

Lord JOHN MANNERS said, he hoped that, under the circumstances, the hon. and learned Gentleman the Member for Coventry (Mr. Staveley Hill), who had moved to report Progress, would withdraw his Motion, and allow a division to be taken on the Amendment of the hon. and gallant Baronet the Member for Norwich (Sir William Russell). With reference to the remarks of the hon. and learned Gentleman the Member for Denbighshire (Mr. Osborne Morgan), he was not quite sure, in the first place, that law reforms had been so speedy of late years as the hon. and learned Gentleman stated them to have been; and, in the second place, he was perfectly certain that no single cobweb had been swept out of Westminster Hall without the utmost deference being paid to the feelings and the pockets of the lawyers. He did not object to this principle; but he held strongly to the opinion that if it was right in the case of lawyers, it was equally right when Parliament was dealing with the interests of officers in the Army.

Motion, by leave, *withdrawn.*

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 154; Noes 170: Majority 16.

AYES.

Akroyd, E.
Arbuthnot, Major G.
Archdale, Captain M.
Arkwright, A. P.
Assheton, R.
Aytoun, R. S.
Baggallay, Sir R.
Bagge, Sir W.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beaumont, Captain F.
Bective, Earl of
Bentinck, G. W. P.
Benyon, R.
Beresford, Lt.-Col. M.
Bingham, Lord
Birley, H.
Booth, Sir R. G.
Bourke, hon. R.
Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Brogden, A.
Bruce, Sir H. H.
Bury, Viscount
Buxton, Sir R. J.
Cameron, D.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Clive, Col. hon. G. W.
Clowes, S. W.
Collins, T.
Corbett, Colonel
Corry, rt. hon. H. T. L.
Crichton, Viscount
Cross, R. A.
Cubitt, G.
Dalrymple, C.
Davenport, W. B.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Dowdeswell, W. E.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Egerton, hon. A. F.
Elcho, Lord
Forester, rt. hon. Gen.
Fowler, R. N.
Galway, Viscount
Garlies, Lord
Gordon, E. S.
Gore, J. R. O.
Graves, S. R.
Gray, Lieut.-Colonel
Guest, A. E.
Gurney, rt. hon. R.
Hambro, C.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Hay, Sir J. C. D.
Henley, rt. hon. J. W.
Henry, J. S.
Hermon, E.
Heygate, W. U.
Hildyard, T. B. T.
Hill, A. S.
Holford, J. P. G.
Holmesdale, Viscount
Hood, Cap. hn. A. W. A. N.
Hope, A. J. B. B.
Hunt, rt. hon. G. W.
Hutton, J.
Jackson, R. W.
Jenkinson, Sir G. S.
Jervis, Colonel
Kavanagh, A. MacM.
Knox, hon. Colonel S.
Lacon, Sir E. H. K.
Langton, W. G.
Laslett, W.
Learmonth, A.
Legh, W. J.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Mahon, Viscount
Malcolm, J. W.
Manners, rt. hon. Lord J.
March, Earl of
Matthews, H.
Meyrick, T.
Milles, hon. G. W.
Montgomery, Sir G. G.
Mowbray, rt. hon. J. R.
Muntz, P. H.
Newport, Viscount
Noel, hon. G. J.
North, Colonel
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Lt.-Col. W.
Patten, rt. hon. Col. W.
Pemberton, E. L.
Phipps, C. P.
Powell, W.
Ridley, M. W.
Round, J.
Royston, Viscount
Salt, T.
Sandon, Viscount
Sclater-Booth, G.
Scott, Lord H. J. M. D.
Scourfield, J. H.
Seely, C. (Nottingham)
Selwin-Ibbetson, Sir H. J.
Sinclair, Sir J. G. T.
Smith, A.
Smith, R.
Smith, W. H.
Somerset, Lord H. R. C.
Stacpoole, W.
Starkie, J. P. C.
Steere, L.
Sykes, C.
Talbot, C. R. M.
Talbot, J. G.
Talbot, hon. Captain
Tollemache, J.
Tomline, G.
Trevor, Lord A. E. Hill-
Turner, C.
Vance, J.
Vickers, S.
Walker, Major G. G.
Walsh, hon. A.
Waterhouse, S.
Welby, W. E.
Wethered, T. O.
Whalley, G. H.
Wharton, J. L.
Wheelhouse, W. S. J.
Wilmot, H.
Wyndham, hon. P.
Yarmouth, Earl of

TELLERS.

Russell, Sir W.
Anson, Colonel

NOES.

Acland, T. D.
Agar-Ellis, hon. L. G. F.
Amcotts, Col. W. C.
Anderson, G.
Ayrton, rt. hon. A. S.
Backhouse, E.
Baines, E.
Baker, R. B. W.
Bass, A.
Baxter, W. E.
Bazley, Sir T.
Beaumont, H. F.
Beaumont, S. A.
Beaumont, W. B.
Biddulph, M.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowring, E. A.
Brand, H. R.
Brassey, H. A.
Brassey, T.
Brewer, Dr.
Brinckman, Captain
Bristowe, S. B.
Bruce, rt. hon. H. A.
Buller, Sir E. M.
Cadogan, hon. F. W.
Campbell, H.
Candlish, J.
Cardwell, rt. hon. E.
Carter, Mr. Alderman
Cartwright, W. C.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chambers, T.
Cholmeley, Captain
Clay, J.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Collier, Sir R. P.
Colman, J. J.
Colthurst, Sir G. C.
Cowper, hon. H. F.
Craufurd, E. H. J.
Crawford, R. W.
Dalrymple, D.
Dalway, M. R.
Davies, R.
Dent, J. D.
Dickinson, S. S.
Digby, K. T.
Dillwyn, L. L.
Dodds, J.
Dowse, R.
Duff, M. E. G.
Dundas, F.
Edwardes, hon. Col. W.
Enfield, Viscount
Ewing, H. E. C.
Eykyn, R.
FitzGerald, right hon. Lord O. A.
Fitzmaurice, Lord E.
Forster, rt. hon. W. E.
Fortescue, rt. hon. C. P.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gower, hon. E. F. L.
Graham, W.
Grant, Colonel hon. J.
Greville, hon. Captain
Greville-Nugent, hon. G. F.
Grey, rt. hon. Sir G.
Grove, T. F.
Guest, M. J.
Harcourt, W. G. G. V. V.
Hartington, Marquess of
Hibbert, J. T.
Hoare, Sir H. A.
Hodgkinson, G.
Holland, S.
Holms, J.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Illingworth, A.
James, H.
Johnstone, Sir H.
Kay-Shuttleworth, U. J.
Kingscote, Colonel
Knatchbull-Hugessen, E. H.
Lambert, N. G.
Lawrence, Sir J. C.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Loch, G.
Lowe, rt. hon. R.
Lubbock, Sir J.
Lusk, A.
Macfie, R. A.
M'Arthur, W.
M'Laren, D.
Martin, P. W.
Mellor, T. W.
Merry, J.
Miller, J.
Monk, C. J.
Monsell, rt. hon. W.
Morgan, G. O.
Morley, S.
Morrison, W.
Mundella, A. J.
Nicol, J. D.
O'Brien, Sir P.
O'Conor, D. M.
O'Conor Don, The
O'Loghlen, rt. hon. Sir C. M.
Palmer, J. H.
Palmer, Sir R.
Parker, C. S.
Parry, L. Jones-
Pease, J. W.
Pelham, Lord
Philips, R. N.
Platt, J.
Playfair, L.
Potter, E.
Potter, T. B.
Rathbone, W.
Reed, C.
Richards, E. M.
Robertson, D.
Russell, A.
Rylands, P.
Salomons, Sir D.
Samuda, J. D'A.
Seymour, A.
Sherlock, D.
Sherriff, A. C.
Simon, Mr. Serjeant
Stansfeld, rt. hon. J.
Stapleton, J.
Stevenson, J. C.
Storks, rt. hn. Sir H. K.
Strutt, hon. H.
Stuart, Colonel
Sykes, Colonel W. H.
Taylor, P. A.
Tollemache, hon. F. J.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Vivian, A. P.
Vivian, Capt. hn. J.C.W.
Walter, J.
Wells, W.
West, H. W.
Whitbread, S.
White, J.
Williams, W.
Willyams, E. W. B.
Wingfield, Sir C.
Winterbotham, H. S. P.

TELLERS.

Glyn, hon. G. G.
Adam, W. P.

MR. GLADSTONE: As I believe that the next point standing for discussion is the Amendment of my hon. Friend the Member for Warrington (Mr. Rylands), on which he would probably require to occupy the attention of the House for some time, and as the discussion could not be soon terminated, I beg to move, Sir, that you report Progress.

House *resumed.*

Committee report Progress; to sit again upon *Monday* 5th June.

PARLIAMENT—WHITSUNTIDE HOLIDAYS.

MR. GLADSTONE: I wish to take this opportunity of conveying to the House that it is not in my power to move to-night that the House at its rising adjourn over the Whitsuntide Recess; but I hope to make that Motion to-morrow, at the Morning Sitting, should the Committee on the Westmeath Bill be finished. I am told that is uncertain, and we shall think it our duty not to make that Motion until the Committee on the Westmeath Bill has been disposed of.

SUPPLY—CIVIL SERVICE ESTIMATES.

VOTES ON ACCOUNT.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. ASSHETON CROSS rose to call attention, in accordance with previous Notice, to the question of taking Votes on Account of the Civil Service Estimates, and to move a Resolution—

"That it is not expedient, at so late a period of the Session, to grant any further Votes on Account for Civil Service Estimates."

The hon. and learned Gentleman said, that those Estimates had been growing largely of late years, and he did not complain of that entirely, because a great portion of the money so spent benefited the country, and was to a certain extent reproductive expenditure. At the same time, this branch of expenditure required most careful watching; and they could not check expenditure unless they had the Estimates before them, and were able to discuss them Vote by Vote before all the money was granted by the House. Otherwise, they had a discussion on them at the end of the Session, when half the Members had gone out of town, and three-quarters of the money required had been voted. It was absolutely impossible under such circumstances for those independent Members who had regard to economy—however much the Government might talk of economy—to have a proper check on expenditure. He did not oppose the Vote on Account before the Easter Recess, because it was necessary to carry on the Business of the country, the balances remaining at the end of the financial year being handed back to the Exchequer; but he had the greatest objection to a repetition of the practice. The Civil Service Estimates amounted to upwards of £10,000,000, although a few years ago they were not more than £7,000,000. The Government now asked for a Vote on Account of £843,000 more, which, with the money already voted, would give £2,629,000, which was more than a quarter of the whole amount. He wished to secure from the Government a pledge that the moment the House met after the Whitsuntide Recess the Civil Service Estimates should be put down for one or two nights, so that they might be discussed in detail, and, further, that the Government would not ask for another Vote on Account until the Estimates had been thoroughly discussed from beginning to end. He believed that no one knew better than the Members of the Government themselves that this practice was most reprehensible and fraught with danger, and to show that the House was determined to put a stop to it, he would move the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is not expedient, at so late a period of the Session, to grant any further Votes on account for Civil Service Estimates,"—(*Mr. Cross,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SCLATER-BOOTH observed that his hon. Friend was, no doubt, perfectly justified in bringing forward this subject; but his hon. Friend would not, he trusted, divide the House after the assurance they had received that the first night after the re-assembling of the House, and the morning of the following day, should be devoted to the consideration of the Estimates. There was no doubt a great tendency on the part of the Civil Service Estimates to increase with the increase of the wealth and the requirements of the country; but he desired to enter his protest against the doctrine that these Estimates, any more than the Army and Navy Estimates, were reproductive in their character. Under the circumstances, he thought his hon. and learned Friend would hardly be justified in taking the sense of the House upon his Motion.

MR. HERMON said, he wished to ask the Government whether it was absolutely necessary to take a Vote on Account to-night, and whether, if any money was voted, it would be distributed over every item in the list placed in their hands on a former occasion? Unless it was a matter of Imperial necessity he hoped a Vote would not be taken.

MR. SINCLAIR AYTOUN said, he must concur in the view that it was objectionable to take Votes on Account, and particularly on account of the Civil Service Estimates, in connection with which there were more waste and jobbery than in any other Department. For this reason, these Estimates ought to be scrutinized with especial jealousy, and large Votes on Account of them ought to be resisted. They included a considerable item for the Court of Chancery; at the proper time, he wished to call attention to several flagrant misapplications of public money, in violation of Acts of Parliament; and he could not say whether the Vote proposed to be taken on

Account might not be expended in some of the payments to which he wished to take objection. These requests for Votes on Account came with a bad grace from a professedly economical Government, which ought to arrange business so as to avoid the necessity for asking for them. For these reasons, he should vote for the Motion of the hon. and learned Member for South-west Lancashire.

Mr. BAXTER said, he would admit it was unfortunate that the Government should be reduced to the necessity of taking Votes on Account of the Civil Service Estimates, and that the practice was objectionable, and ought to be avoided if possible; but it was a matter of Imperial necessity to take the Vote now asked for, because it was absolutely necessary, before the House separated, to provide for carrying on the Departments after the 31st of May. The sum now asked for, however, would obviate the necessity for taking a further Vote on Account, because it was proposed next week to take those Votes in the Civil Service Estimates that were not likely to lead to discussion, and consequently money would be obtained. He hoped, therefore, the hon. and learned Member for South-west Lancashire would not feel it necessary to divide the House.

Mr. MUNTZ said, he would be sorry to obstruct the Government; but on a recent occasion, after a Vote had been taken on Account of the Army Estimates, when he wished to object to certain items, he was told that there was no redress. [" No, no! "] It was understood to be a Vote on Account; and all he wanted now was an understanding that if they voted the sum required on account they should not be precluded afterwards from discussing any particular item.

Mr. G. BENTINCK said, he quite concurred in what had been said about the Civil Service Estimates, and thought that the remarks made applied also to the other Estimates, and that all Estimates ought to be brought forward at a time of the Session when they could be fully and fairly discussed; and he therefore wished to ask the Government whether they were prepared to give an undertaking that fair opportunity should be afforded for the discussion of all the Estimates? It was said that this was a case of Imperial necessity; but how had it been brought about? By the manner in which the Government had conducted Public Business. It was the duty of the Government so to arrange public affairs, that these necessities should not occur; and the House ought not to be called upon to interfere in this manner with the course of Public Business for the purpose of preventing the great abuses which must necessarily arise from deferring the full consideration of the Estimates. This course made the economical professions of the Government and of their supporters mere mockery.

Mr. GOLDSMID said, he agreed in what had been said as to the great disadvantage of taking Votes on Account, without opportunity being afforded to discuss particular items. There was one item in respect of which he hoped no more money would be expended until the House had sanctioned it, and that was the Wellington Monument. The Estimates relating to it were not yet delivered, and he should like to know what was to be done before any further expense was incurred.

Mr. PELL said, his vote would depend upon the answer the Government gave to the question whether the House would have an opportunity of discussing the items before any more money was taken on account.

Mr. FIELDEN said, it was the duty of the House to vote money, and it seemed they had got into the habit of putting off that duty until the fag-end of the Session. Before Government brought on such Bills as the Army Regulation Bill and the Ballot Bill, they ought to ask for the money required for the services of the country.

Mr. GLADSTONE said, that whatever abstract opinion might be entertained about Votes on Account, they were a working part of the financial system of the country, and with the financial year regulated as it now is, and with the alteration of system under the new audit with respect to balances, which could not be transferred from one item to another, it was absolutely impossible to dispense with Votes on Account. Indeed, they had been recommended by the highest financial authority in the House—namely, the Committee to whom was committed the regulation of these matters. Of course, such Votes ought not to be extended beyond what was necessary, nor to such an extent as to limit the control of the House over the Estimates.

He admitted that all the Estimates ought to be submitted to the House, when they could receive a reasonable degree of attention; but the Government was under a pressure of different kinds. Sometimes they were coerced, or what the Scotch called "concussed," into bringing in measures; at other times they were urged to press forward those measures, so as to send them up to "another place" in good time; again, they were occasionally prevented from obtaining any additional time for the discussion of their measures; and, further, they were urged to let the Estimates be discussed at the very time when they ought to be expediting measures in order that they might go to the Lords. It was not, however, the intention of the Government again to ask the House for a Vote on Account of the Civil Service Estimates unless there should exist very special grounds for doing so.

MR. HUNT said, the right hon. Gentleman the Prime Minister had endeavoured to throw blame on the independent Members of the House rather than on the Government. [MR. GLADSTONE said, there was no blame attached to anyone.] Perhaps he was wrong in using the word blame. He should have said that the right hon. Gentleman said he thought the inconvenience resulted from the conduct of hon. Members rather than the Government had caused the postponement of the consideration of the Civil Service Estimates to so late a period of the Session. There was no doubt a certain amount of truth in it; but the delay had been greater of late years than formerly. He attributed it to the ambition of the Government to carry each Session an immense number of important measures. Instead of their being content with bringing forward such measures only as they were likely to have time to pass, they had brought forward, in fact, double the number, and measures of the highest importance, that must take up a considerable time in discussing, and three-fourths of them afterwards had to be abandoned.

MR. HENLEY said, the House ought to be obliged to the hon. and learned Member for South-west Lancashire for having brought the subject under the consideration of the House. The practice of late had been to discuss them at so late a period that they might be said to be shuffled through the House rather than properly discussed; but it also was a temptation to bring them forward late, so as to shut the mouths of private Members who wished to bring forward Motions in connection with the Estimates on going into Supply. He regretted to say the practice had been growing very much of late years, and the consequence was, that when they came on for discussion, there was no disposition to do so, everyone being anxious to get away as fast as he could.

MR. ASSHETON CROSS said, that after the assurance given by the right hon. Gentleman the Prime Minister, he would not press his Motion; but that if the course was persisted in next Session, he should take the sense of the House upon it.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

Resolved, That a further sum, not exceeding £843,850, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services, to the 31st day of March 1872: viz.

[Then the several Services are set forth.]

Resolution to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow*, at Two of the clock.

METROPOLIS WATER BILL—[BILL 40.]

(*Mr. Shaw Lefevre, Mr. Secretary Bruce.*)

SECOND READING.

Order for Second Reading read.

MR. BRUCE, in moving that the Bill be now read the second time, said, that it was unnecessary that he should enter into any lengthened explanation of its provisions, inasmuch as it was his intention to propose that the measure should be referred to a Select Committee. Its principal object was to provide a constant, instead of an intermittent, supply of water to the Metropolis. So long ago as 1846, the Board of Health pointed out in the strongest language that not only was the water supplied to the Metropolis deficient in quantity, but that it was bad in quality. In 1850 the Board of Health drew attention to the very great evils attending the intermittent system of supply; and in 1852 an Act was passed, making many improvements in respect to the water supply for the Metropolis, and enacting that the constant system should be introduced into particular districts on the application of four-fifths of the inhabitants of the district to be supplied; but he need not say how impossible it was to obtain the concurrence of so large a proportion to any subject. In 1867 a Select Committee of that House, and in 1869 a Royal Commission, reported that a constant supply of water was necessary for the health and well-being of the inhabitants of the Metropolis. The Government, however, did not immediately act on that recommendation, because they were in hopes of being able to introduce a measure for the local government of the Metropolis under which the local Governing Body would have been enabled to deal with that question. That measure, however, was necessarily postponed; and he thought the great boon of an improved water supply for London ought not to be deferred until a measure of such difficulty could be previously carried, and the Government had, therefore, introduced this Bill, proposing to deal with the subject at once. What the Bill proposed was that, on certain specified applications being made, the Secretary of State, if satisfied that the need exists, may call upon the company to supply the specified district with a constant supply of pure and wholesome water. One of the most difficult questions connected with the constant supply was the enforcement of the requisite regulations to prevent the waste of water. The experience of several towns, especially of Norwich and Manchester, had shown that, under proper regulations, constant supply led not only not to waste but to an actual economy of water. The Bill, as it stood, provided that those regulations should be made by the Metropolitan Board of Works, and approved ultimately by the Secretary of State. But great objections had been raised and strong arguments urged by the water companies against that arrangement. The Government had yielded to those objections which they considered to be reasonable, and therefore they intend to propose before the Select Committee that the companies shall, in the first instance, frame the regulations they conceive necessary, and that those regulations shall be examined by the Metropolitan Board of Works on behalf of the public, and that they shall be finally determined in case of objection by the Secretary of State. The Bill took security for improved filtering of the water, if necessary, and to that end provided that constant analysis of the water should be made, and that an analyzer should be appointed by the Secretary of State; it provided for the audit of the accounts, and for the compulsory purchase by the Metropolitan Board of Works of the companies. The companies had objected to that system of compulsory purchase, and the Government had considered that the Metropolitan Board of Works, though a very useful body, was, doubtless, not the central authority to whom they should wish to intrust the possession of those great powers, and were therefore willing to accede to the terms which, on the part of the companies, had been offered, and that was, that the question of purchase should be considered by the Select Committee, and that if the terms could be agreed upon as between the companies on the one side and the Metropolitan Board of Works, as representing the general interest of the inhabitants, on the other, that those terms should be fixed in the Bill; but that if they could not agree, the question of purchase should be postponed until a system of local government should be provided for the Metropolis. Those were the chief provisions of the Bill. The Government, in endeavouring to get so great a boon for the Metropolis, had not been unmindful of the interests of those great companies which had hitherto undertaken the task of supplying it with water. The companies, he was bound to say, had exerted themselves, especially of late years, to increase the quantity and improve the quality of their water. They had experienced great difficulties in drawing their supply from the most desirable sources. To remedy that defect Acts of Parliament had been passed, and the discussion of Tuesday night showed that great steps had been taken to remedy the evil. He hoped that the Bill would be referred to a Select Committee, thus obviating the necessity of a long discussion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Bruce.*)

MR. CRAUFURD said, he believed that if the measure had been left to the Board of Trade, whose proper department it was, to introduce such a Bill, a much more conciliatory course would have been adopted than had been pursued in the present instance. Since the Bill had been introduced the Government had introduced another for the regulation of Gas Works Companies, which contained clauses as objectionable to those companies as this Bill to the water companies. But what was the course pursued by the Board of Trade? They withdrew the Bill, and introduced another—and not only that, but as the new Bill still contained some objectionable provisions, the right hon. Gentleman the President of the Board of Trade invited the parties interested to a free discussion, heard courteously what they had to say, and, in consequence, made such alterations in the measure that the objections were removed, and the very parties who most strongly opposed the Bill were now ready to pass it with alacrity. It had been stated that from the position he occupied with regard to the Kent Waterworks Company, he was bound by the agreement between the water companies and the Government that the former should not oppose the second reading of this Bill, and that he had no right to stand up in defence of the interests of the ratepayers; but he must explain that although he had since been elected a director of that company, when he had originally given notice of his intention to oppose the measure he had no connection whatever with any water company. He opposed the Bill then, as he did now, as a ratepayer and householder in the Metropolis, and not in the interest of the water companies. His grievance against the Government was that they had gone behind the public, and settled with the most formidable of the opponents of the Bill, and then declined to inform the public of the terms of that arrangement. They had dealt with the companies only, and had left the consumers and ratepayers out in the cold. Who was to represent the consumers before the Select Committee? The Government had thrown a sop to the companies. The compulsory purchase clauses had been abandoned—that was to say, in order to conciliate the opposition of the companies, the whole principle of the Duke of Richmond's Commission — that in any legislation on the subject Parliament should consolidate the whole water supply of the Metropolis, and vest the management in the hands of the proper local authorities—had been abandoned. That was not the way in which a great and important question such as this should be dealt with. Where was the necessity for referring the question to a Select Committee? They had had a Committee in 1867, and a Commission since then — the question was quite ripe for legislation. The way to deal with this question was to make good police regulations, and to give to the local authorities the right of enforcing on owners of houses the duty of building them properly, instead of dealing with it in the confused and hesitating way in which it was treated by the framers of this measure. He had been told that he was interested in stopping the Bill, and that he had endeavoured to stifle discussion by moving the "count out" on Tuesday. He indignantly denied the accusation. He thought they were wasting the night—and they did waste the night, for they discussed a Resolution on which the Mover did not dare to divide the House. ["Divide!"] The Government must not think they could suppress free discussion solely by the aid of the majority which they had at their backs, for he, for one, would not submit to it, though as to that majority it was fast diminishing, and, unless they conducted matters very differently, might, in the course of a short time, disappear altogether.

MR. LOCKE seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Craufurd.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR HENRY HOARE moved the adjournment of the debate. He thought that a question of this importance should be brought on at an hour when it could be properly discussed.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Sir Henry Hoare.*)

MR. AYRTON said, he thought that in a few sentences he should put before the House the state of this question, and then he trusted the House would not consider it necessary to adjourn the debate. So long ago as 1852 the water companies were asked to give a constant supply to the Metropolis. To that request they answered that it was impossible to do so then; but that, if they were allowed five years, they would then be able to comply with the request. Accordingly, a regulating Act was passed, which adjourned the constant supply for five years. Three or four years ago, the state of the supply in London having been called in question by this House, a Committee was appointed to inquire why the Act of 1852 had not been put in operation. Before that Committee the waterworks companies appeared, and the inhabitants of London appeared through the Metropolitan Board of Works, and both parties were heard by counsel. After a prolonged inquiry the Committee affirmed the principle of the Act of 1852, and pointed out that this constant supply had not been given, not on account of any defect in its principle, but on account of the defective details of the Bill; and they recommended that the Government—standing between the water companies on the one hand, and the Metropolis on the other—should be charged with the duty of introducing a Bill to carry out the pledge given by the water companies in 1852, and for which the inhabitants of the Metropolis had so long waited. In consequence of that Report, his right hon. Friend (Sir George Grey) brought in a Bill to give a constant supply. They need not go into the question of purchase, because that was a matter which would have to be gone into before the Committee. The House was asked to read the Bill a second time, in order that it might go before a Committee upstairs. In this state of things, was it possible for the House to anticipate the investigations of the Committee or, to come to any conclusion as to the mode in which the constant supply was to be carried out? If the water companies satisfied the Committee that there were practical difficulties in carrying out the Bill, of course the Committee would throw it out. Unless the Committee were quite satisfied that the Act of 1852 could be carried into effect, of course no further action would be taken; but, if they were satisfied that it could be carried into effect, they would pass the Bill, and then they would have to go into Committee on the Bill in the House, and on the Motion for going into Committee they would have all the materials for discussion. This was really a preliminary step, if the Government acted fairly towards the water companies. It left it as an open question, to be examined and decided by the Committee upstairs in the first instance. Was it not better to adopt what had been the uniform practice of the House, and that was, that when a Bill called a hybrid Bill was brought forward, they should read it a second time, and send it to a Committee upstairs, in order that its merits might be investigated?

Mr. SHAW LEFEVRE appealed to the House to proceed with the discussion. If the Bill were to go into Committee at all this year it ought to go at such a time that it could be discussed. The hon. and learned Member for Ayr (Mr. Craufurd) had talked of the consumers; and had complained that he had been told that being a Director of the Kent Waterworks he had no right to speak on the question. But what he (Mr. Shaw Lefevre) said was that if the hon. and learned Gentleman did speak he should have called attention to the fact that he was a Director of a water company—because he (Mr. Shaw Lefevre) thought it a strange thing that an hon. Member who represented the water companies should rise up in the House and pretend that his care was all for the interest of the consumers.

Mr. COLLINS hoped the House would not, by reading the Bill a second time, affirm the vicious principle it contained. He censured the Government for bringing in Bill after Bill like the Licensing Bill and that now under discussion, which were based on the principle of confiscation.

Mr. D. DALRYMPLE contended that the clauses relating to the purchase of the companies ought not to be withdrawn by arrangement, but ought to be fairly debated.

Mr. GOLDNEY defended the course proposed by the Government, whose justification was to be found in the fact that the Bill had been too long before the House.

Mr. CLAY said, during the many years he had had the honour of a seat in that House, he had never addressed it on this subject; but having for two-thirds of his life been in connection with water companies, and being chairman of two of them, he ventured to make a protest against the present spirit of legislation. The First Commissioner of Works was inaccurate in saying that the companies were under obligation to give constant supply in five years. They were under obligation to give it under conditions which had never been fulfilled; and although it might be a very difficult thing to get four-fifths of any body to agree on any given point, still he thought the circumstance that there had never been any attempt to procure a constant supply was a sufficient reason for supposing that there was no great wish for it. With regard to the quality of the water, it was sufficient to say that the water supply of the Metropolis would compare well with that of any other town; and when they remembered that the rate of mortality was lower in London than it was in any other large town, it was fair to suppose that the supply of water from the Thames was not unwholesome. As to constant supply, he doubted whether, by any possible regulation, they could force the owners of houses to make a sufficient provision for the reception of the water. Under these circumstances, although he thought it ought not to be necessary, he was quite willing that the law should require that there should be a constant supply to small houses—that was, that the water should be given only in one way—namely, by stand-posts, like lamp-posts. That was necessary, because experience showed that if they had the fittings in poor houses, they were immediately stolen. But although he thought it not absolutely necessary, but the best course, to give a constant supply to poor houses, he did not think that a constant supply should be given to the large houses. It would be a great expense and inconvenience, and the supply would not be better for them than the present supply was. With regard to this Bill itself, a great part of the objections made by the water companies—by no means all, but a great part—had been removed, and the water companies had undertaken not to oppose the second reading of the Bill.

Mr. W. M. TORRENS objected to sending to a Select Committee a Bill on which the metropolitan Members had had no opportunity of expressing their opinions, under the pretence that it was a hybrid Bill, for to all intents this was a Government measure.

Mr. Alderman W. LAWRENCE also protested against the House being called upon to give a decision without discussion. It had been treated by the Government as if it were a mere question between them and the companies. It appeared that the companies had had an astute gentleman, known to many Members of the House, acting for them, and the Metropolitan Board of Works had had another gentleman acting for them, and those two gentlemen had come to terms—the companies were not to oppose the Bill, and the Bill was to be sent to a Committee upstairs. The public were nowhere; they were supposed to be represented by the Government. But was there a single metropolitan Member who would get up and ask the Government to go on with this Bill? Certainly, this Bill ought never to have been introduced in its present form without the representatives of the Metropolis being consulted. The fact was that the Metropolitan Board of Works had finished the Embankment and other public works; they had a very large staff and required more work for it to do, and so they took up the question of water supply.

Question put.

The House *divided*:—Ayes 57; Noes 87: Majority 30.

Original Question again proposed.

Mr. COLLINS then moved the adjournment of the House. Every metropolitan Member had voted for the adjournment of the debate, and he thought it right that their wishes should be attended to.

Mr. T. CHAMBERS wished to say that he and his colleague represented one-seventh of the whole population of the Metropolis, and he thought it hard that they should be overruled by Members from the rural districts. The metropolitan public, so far as they were represented in that House, were unanimously against this Bill.

Motion made, and Question proposed, "That this House do now adjourn,"—(*Mr. Collins.*)

Mr. BRUCE said, it was with a great repugnance that he pressed the Bill at that time of night. It was only because he thought the fate of the Bill depended on it. He admitted that the metropolitan Members represented the public of the Metropolis; but in this matter there were other representatives of the Metropolis, and although he admitted that the Metropolitan Board of Works did not constitute such a representation of the Metropolis as he desired, yet they represented a great portion of the Metropolis, and they supported this Bill in its main principle. Under these circumstances he must press the Bill.

SIR JAMES LAWRENCE remarked that this Bill involved the taxation of the Metropolis to the extent of from £10,000,000 to £15,000,000, and protested against such a measure being brought forward without the ratepayers having a voice in the matter. He begged to remind the Home Secretary that not a single petition had been presented in favour of the Bill, which was opposed by every portion of the Metropolis. He could not understand why there should be this indecent haste. Surely the health of the inhabitants of the Metropolis was not suffering so materially that they must discuss this Bill between 1 and 2 o'clock.

MR. LOCKE said, he had presented numerous Petitions against the first Bill; and after he had done so he was told that the Bill was not that which the Government supported. The House, then, ought to know what the measure was that the Government were now pressing to a second reading. He supported the adjournment.

MR. R. N. FOWLER thought it a reasonable request on the part of the metropolitan Members that the debate should be adjourned.

MR. ALDERMAN LUSK asked what the metropolitan Members were there for but to discuss any measure brought before the House, and especially what related to the Metropolis?

MR. BRUCE said, reluctant as he was to delay the progress of the Bill, he would consent to the adjournment of the debate.

Motion, by leave, *withdrawn.*

Debate *adjourned* till *To-morrow,* at Two of the Clock.

COURTS OF JUSTICE (ADDITIONAL SITE) BILL.

Select Committee on Courts of Justice (Additional Site) Bill, *nominated:*—Lord JOHN MANNERS, Mr. ANDREW JOHNSTON, Mr. WILLIAM HENRY SMITH, and Mr. AYRTON, and three Members to be nominated by the Committee of Selection.

Ordered, That all Petitions presented during the present Session against the said Bill be referred to the said Committee; and such of the Petitioners as pray to be heard by themselves, their Counsels or agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the said Bill against the said Petitions.—(*Mr. Ayrton.*)

House adjourned at a quarter before Three o'clock.

HOUSE OF COMMONS,

Friday, 26th May, 1871.

MINUTES.]—SELECT COMMITTEE—Diplomatic and Consular Services, Mr. Bouverie *discharged.*

Fifth Report—Committee of Selection [No. 71].

SUPPLY—*considered in Committee*—*Resolutions* [May 25] *reported.*

PUBLIC BILLS—*Ordered*—*First Reading*—Metropolis Water (No. 2)* [166]; Local Government (Ireland)* [165].

Select Committee—Benefices Resignation* [111], Sir Roundell Palmer and Mr. Russell Gurney *added.*

Committee—*Report*—Gas Works Clauses Act (1847) Amendment (No. 2) (*re-comm.*)* [150]; Protection of Life and Property in certain Parts of Ireland [129].

Report—Ecclesiastical Titles Act Repeal* [27-164].

Third Reading—India (Local Legislatures)* [154]; Presbyterian Church (Ireland)* [142], and *passed.*

Withdrawn—Metropolis Water* [40].

The House met at Two of the Clock.

INCOME TAX ASSESSMENTS.

QUESTION.

MR. PELL asked Mr. Chancellor of the Exchequer, Whether it is true that instructions have been given to the local collector of Property Tax and House Duty for the parish of St. George's in the East, Middlesex, to proceed for this year's taxes upon the same assessment as last year, and not upon the assessment list made under the Valuation (Metropolis) Act, which came into operation last month, by which Act it is declared that such assessment list is to be the basis for all Rates and Taxes, as well Local as Governmental; and, if instructions at variance with the Statute referred to have been given, whether he will take steps promptly to remedy the inconvenience consequent on this proceeding?

THE CHANCELLOR OF THE EXCHEQUER replied that if instructions had been given at variance with the statute, steps should certainly be taken to remedy the inconvenience. He had referred the Question of the hon. Member to the Inland Revenue Department, and he had been informed that no such instructions as those referred to by the hon. Member had been issued.

CRIMINAL LAW—CASE OF MRS. INGHAM.—QUESTION.

MR. WILMOT asked the Secretary of State for the Home Department, Whether Mrs. Ingham, who was tried at Derby Assizes in July 1869 for the murder of her child, and acquitted on the ground of puerperal insanity, has been certified by the medical officer of Derby County Gaol to have become perfectly sane within a few days of her trial; whether the visiting justices have, on the strength of this medical certificate, twice applied for her discharge; whether, in answer to their last application on the 4th of April 1871, they were informed that if her health was suffering she might be received into a Criminal Lunatic Asylum; and, whether, if this is the case, he does not think such a course would be likely still more seriously to injure the health of a sane woman, and if he will be good enough to state to the House on what grounds he does not feel justified in granting her discharge after her recovery has lasted for twenty-two months?

MR. BRUCE, in reply, said, that these cases, as hon. Members could easily imagine, were extremely difficult to decide. The facts, however, were not exactly as stated in the hon. Member's Question, for Mrs. Ingham was not acquitted on the ground of puerperal insanity. After apparently a fit of extreme depression she cut the throat of her child, ten months old, and on her trial she was acquitted on the ground of insanity. It was no doubt true that she had been certified to be sane; but Mrs. Ingham had another child, only three years of age, and it was quite possible that if she were released another fit of depression might occur, and the life of the remaining child might be endangered. All these circumstances had to be taken into consideration by a Minister in deciding a question of this nature, and he should be departing from the practice of his predecessors if he were hastily to order her release after a short confinement.

CONVEYANCE OF FOUL LINEN IN CABS. QUESTION.

MR. EYKYN asked the Secretary of State for the Home Department, If the attention of the Commissioners of Police has been drawn to the fact that Metropolitan Cabs are used for the conveyance of foul linen from the houses of various persons, whereby contagious and infectious diseases may be transmitted; and if it is his intention to direct the Commissioners of Police to put a stop to Metropolitan Cabs conveying foul linen; if not, what steps he proposes to take in order to put a stop to a practice likely to prove so detrimental to public health?

MR. BRUCE said, in reply, that an inquiry into the matter had failed to show that the conveyance of foul linen in metropolitan cabs had caused any mischief in the way of the transmission of contagious or infectious diseases. In the case of one establishment cabs were used for the conveyance of the linen of patients; but the cabs were employed for that purpose only. If it could be shown that diseases had been transmitted by the conveyance of foul linen in cabs it might become necessary to introduce an Act of Parliament to prevent the practice in future.

DIPLOMATIC ESTABLISHMENTS IN GERMANY.—QUESTION.

MR. MUNTZ asked the Under Secretary of State for Foreign Affairs, If it be the intention of Her Majesty's Government, now that the German Empire is consolidated, to continue Diplomatic Establishments at the smaller Courts of Germany?

VISCOUNT ENFIELD: The question, Sir, of the maintenance of diplomatic establishments at the smaller Courts of Germany was one of the points noticed in the Report of the Diplomatic Committee, which has just been presented to Parliament; but I can give the hon. Member no more definite reply on this head than that the recommendations of the Committee will receive the careful consideration of the Secretary of State for Foreign Affairs.

FRENCH REFUGEES.—QUESTION.

LORD ELCHO: I wish, Sir, to put a Question to my right hon. Friend the Home Secretary, of which I have given him private Notice. In *The Times* of this morning I read that in the Belgian Chamber of Representatives yesterday Baron D'Anethan, in replying to a question relating to the events now occurring in Paris, said—

> "The Government is armed with sufficient powers to stop on the frontier the wretches who are the authors of the appalling horrors recently witnessed in Paris. The Government cannot consider as political refugees men who have thus sullied themselves with crime, and who must meet with the penalties which are their due. The Government will act with firmness."

I wish to know what course Her Majesty's Government intend to take with regard to the authors of what cannot but be regarded by the civilized world as the greatest crime on record, if they should succeed in escaping from the city which they have fired and destroyed, and whether, in case of their coming to this country, they will be treated as political refugees, or be dealt with as ordinary criminals under the Extradition Acts?

MR. BRUCE: My noble Friend, Sir, only gave me notice of his intention to ask this Question since I came into the House, and, as hon. Members can understand, it is one which it is extremely difficult to answer immediately and without great care and consideration. The House has always shown extreme jealousy in dealing with political offenders. During the last Session of Parliament, when the Extradition Laws were under consideration, a section was introduced into the Act which I think I had better read, in order to show hon. Members what powers the Government have to deal with the case of persons seeking refuge in this country—

> "A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove to the satisfaction of the Police Magistrate or the Court before whom he is brought on *habeas corpus*, or to the Secretary of State, that the requisition for his surrender has in fact been made with a view to try and punish him for an offence of a political character."

Whatever may be the power of the Belgian Government, it is certain that this Government has no power to prevent any of these persons, if they succeed in escaping, from entering this country. When once here, however, charges may be made against them, and the question will arise whether the offences of which they may be accused would be of a political character, or whether they would fall under the category of ordinary crime.

METROPOLIS—BROMPTON CEMETERY. QUESTION.

MR. WHALLEY asked the First Commissioner of Works, What prospect there is of Brompton Cemetery being sold?

MR. AYRTON said, in reply, that the Board of Works had been unfortunately constituted the owners of the Brompton Cemetery by a combination of circumstances which might easily have been avoided. On becoming possessed of it, however, their first duty, of course, was to endeavour to get rid of it as soon as possible. Having no one to bury in it they would be extremely glad to find a purchaser for their acquisition. Offers had been made, but they were not of a character to justify him in accepting them.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL.

(*Lords.*) [BILL 129.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*The Marquess of Hartington.*)

MR. M'CARTHY DOWNING rose to move that the House resolve itself into Committee on the Bill that day six months. Complaining that his remarks on the second reading had been misconstrued, he repudiated the charge of inconsistency—namely, that although he now opposed the Bill, he did not do so before the Select Committee. The fact was, that he took exception to that part of the Report which recommended the suspension of the Habeas Corpus Act, and had not the Chairman ruled that it could not be submitted, he should have moved a Resolution to the effect that the vigorous enforcement of the ordinary laws, the appointment of additional resident magistrates, more united action on the part of the local authorities, and the swearing in of special constables under the statute of William IV., as recommended by the right hon. and gallant Gentleman the Member for Roscommon (Colonel

French), would be quite sufficient to control crime in Westmeath, and to restore order. Every step he took in Committee was advised or approved by a more experienced Member than himself—namely, the hon. Member for the City of Cork (Mr. Maguire), in whose judgment he had the greatest confidence. It had been asked why evidence had not been called to contradict that on which the Government relied for recommending a measure of this stringent character? In reply, he had to say that the Committee was a secret one, and the requisite witnesses could not be examined. Moreover, the tenor of several questions put to witnesses examined by the President of the Board of Trade and the Solicitor General for Ireland showed that neither of those hon. Gentlemen thought at the time of the probability of the Habeas Corpus Act being suspended. He also maintained that the evidence obtained was but hearsay or belief, and that, on such evidence, the Government could not justly urge the suspension of the liberties of the country; and, moreover, the evidence did not bear out the Report, for Captain Talbot referred to information he had received, the accuracy of which he said he could not vouch for. That witness left Westmeath six months before the Select Committee commenced their inquiry. He could not say that the existence of the Ribbon conspiracy was a fact, and both he and and General Wetherall had expressed the opinion that there was no need for the suspension of the Act in 1869, when crime was threefold greater than at present; the number of criminals being, for 1869, 173, and for the last 12 months contained in the Report 57. Again, Mr. Seed, the Crown Solicitor, stated in evidence that the condition of the county had wonderfully improved since June, 1870, and that there was no pressing occasion for the suspension of the Habeas Corpus Act. Mr. Mooney, Clerk to the Crown for Westmeath, when asked what he thought was the best means of applying a remedy to the state of crime in that county, said he had always been of opinion that an efficient police force and a fearless magistracy were quite capable of dealing with the conspiracy. The Rev. Mr. Crofton gave his evidence directly against the efficacy of the suspension of the Habeas Corpus Act, and Mr. Cusack's evidence did not go to prove, from his own knowledge, the existence of the Ribbon conspiracy in Westmeath. [The hon. Member was about to refer to what he termed the very impassioned speech of the hon. and learned Gentleman the Solicitor General for Ireland, when

Notice taken, that 40 Members were not present; House counted and 40 Members being found present,

MR. M'CARTHY DOWNING said, he wished to point out, that whereas in the several tables relating to crime in Ireland which were appended to the Report of the Committee, there was a head of offence called Ribbonism, not a single figure appeared under that head. [The hon. Member was about to read an extract from a newspaper relating to the speech of the Solicitor General for Ireland when

MR. SPEAKER observed that it was out of Order and contrary to the rules of the House to read extracts from newspapers referring to a debate in that House.

MR. M'CARTHY DOWNING said, he must express his surprise that the hon. and learned Gentleman the Solicitor General for Ireland should have been able to extract so much fun and laughter out of a debate upon a Bill of Pains and Penalties, which was to suspend the Constitution in Ireland, but at the same time admitted that the hon. and learned Gentleman's goodness of heart and love for his country were well-known throughout the length and breadth of Ireland. The hon. and learned Gentleman had said that he bore all the signs and tokens of being an Irishman, and no doubt he did. But in former times it was not very easy to satisfy the London public as to what those signs and tokens were, because he found, on referring to an old annual, that, in 1645, a celebrated performing bear was declared by the Londoners to be an Irishman, because it was said to be well known that Irishmen had tails. The hon. and learned Gentleman had omitted in his speech to notice the principal topic to which he (Mr. Downing) had endeavoured to direct the attention of the House on a former occasion. The heavy police tax which had been levied on struggling farmers and others in parts of Ireland under the Peace Preservation Act, and of which he would furnish an instance of 8*s.* 8*d.* in the pound being charged on a certain district in Leitrim, instead of producing a salutary effect, had caused disaffection among the people. The right hon. Gentleman the Member for the University of Oxford had said that his (Mr. Downing's) assertion that Ireland was in a state of comparative peace and prosperity was an extravagance hardly worthy of the Member of so important a constituency as the county of Cork. That assertion was a quotation from a letter of the Correspondent of *The Times*, and he maintained that the evidence taken before the Committee showed that Ireland was now in a state of perfect peace and tranquillity. He desired to know whether that was the kind of legislation calculated to inspire confidence in the Irish people, respect for the law, or to give peace to the country? In this great City of London alone there was sufficient to alarm peaceable people. Ladies were knocked down by garotters and robbed of their watches; were assaulted, and no one dared to interfere. Why, then, was not the legislation proposed for Ireland applied to England? Within 10 years coroners' juries in England and Wales had given verdicts in 2,455 cases of murder. But that was only a small portion of the number of murders committed in England and Wales during the last 10 years. During that period the number of persons sentenced to death—not including those guilty of infanticide—in England was 330, of whom 126 were actually executed. Now, he was quite certain that within the last 10 years 10 persons had not been executed in Ireland; nay, he believed that not five had been executed.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. M'CARTHY DOWNING continued. The county of Cork, which he represented, was altogether free from crime; and there was scarcely a case of larceny committed in it during four months; yet Cork was amongst the proclaimed districts, and in it there had been arrested, under the authority of the Peace Preservation Act, which received the Royal Assent last year, no less than 341 persons. Of this number, 201 had since been discharged; so that with regard to 201 cases the Government admitted that there was no ground for the arrest which they had ordered. Never was there a more false step taken by any Government than the introduction of this Bill. He had received numberless letters from persons in the highest position in Ireland, protesting against it. In Limerick a monster meeting had been held, and in his own county one was about to be held, in opposition to the Liberal Government, on account of this measure. He regretted the position of hostility to the Administration which he was now compelled to take up, for he had always hoped to be able to go into the Committee Lobby with them; but his duty to his constituents compelled him to take the opposite course; and he was convinced that at the next General Election the people of Ireland would clearly testify their opinion respecting this Bill which the Government had introduced.

Sir JOHN GRAY, in rising to second the Amendment, said, that by a recent law, executions of criminals in England had been made private, and it seemed to him that, on something of the same principle, the greater part of the House of Commons had absented itself on this occasion, rather than witness the extinction of the Irish Constitution, upon such pretexts as never before in our history had been considered sufficient for such a step. There was no pretence now, in the slightest degree, for saying that the only requisite justifying the adoption of such a course had arisen—namely, that Ireland was in danger of civil or revolutionary outbreak and insurrection. For the first time in their annals, trifling social crimes—trifling in scope both as to number and extent of country implicated—were to be made the occasion of suppressing the constitutional liberties of the country. He protested against the attempt that had been made by the hon. and learned Gentleman the Solicitor General for Ireland to classify all those who objected to this Bill with the abettors of crime in Ireland and the stimulators of Ribbon outrages. Perhaps these words were not actually used by the hon. and learned Gentleman; but the meaning which his words were calculated to convey, both to the House and to persons outside, was that anyone who was not ready to adopt the *ipse dixit* of the hon. and learned Gentleman was, in substance and in fact, an abettor of crime in Ireland and a stimulator of the Ribbon conspiracy. Now, what were the facts of the case? In February last a proposition was made by the Chief Secretary for a Secret Committee on account, as he affirmed, of the appalling condition of Westmeath; but February, March, and April had passed, and now they were at the end of May, and the Government had done nothing whatsoever. The very slowness with which the Government had acted proved that they did not believe a single one of all the statements which they had put forward in public as to the condition of Ireland. If the Government believed that there was real danger in Ireland, it was their duty, as the defenders of order and peace, to act promptly and vigorously, and not to have allowed a single day to elapse without pushing forward this Bill. If, then, what they had alleged was true, they had been guilty of the grossest dereliction of duty—he would rather say they had been guilty of self-deception than impute to them a desire to deceive the House or the public. The people never could have either happiness, peace, or prosperity in Ireland until they had a Government with a strong hand, which would deal vigorously and relentlessly with crime whenever it was detected and proved to exist. And it was not by fits and starts like this that the condition of things in Westmeath could be improved; nor was it by spreading alarm among capitalists and frightening them away from the country. If the state of things—which was proved to have no existence at all by the evidence produced before the Select Committee—did really exist, it would have been the duty of the Government four months ago to have made the offending district swarm with police and with Judges, and there should have been a permanent Commission sitting until every vestige of crime was driven out of the land. In regard to another point, he desired to say that when it was first proposed that the Select Committee should be a secret one, he had strongly disapproved of it; but now he regretted that the Government had not adhered to its original design, because then it would not have been published to the world that the system was habitually pursued in Ireland of packing juries for the purpose of obtaining convictions. A high constitutional authority, speaking of a case in which 11 Catholics had been ordered to stand aside, said—

> "That which I then said, and which I think more strongly now, is, that the trial was not a trial by a fair jury, but one elaborately put together for the purpose of conviction."—[3 *Hansard*, lxxvi. 2006.]

[An hon. MEMBER: What is the date?] The words were used by Lord Russell with respect to a case which occurred in 1844; and now, in 1871, they had Mr. Seed saying—"Leave the matter to me, and I will select the jury." The empty benches which he saw around him showed how little was thought about sacrificing the Irish Constitution; hon. Gentleman thought more of airing themselves on the Downs; and even, by two successive efforts, the Government were hardly able to keep together a formal House. From the evidence, it appeared that a discussion had arisen as to how the men who were to be put on their trial before the Special Commission in Meath were to be dealt with, and no one who read that evidence could fail to see that the question was, how a conviction could be obtained. No doubt, Mr. Seed misrepresented the conversation which he said was held with the Attorney General for Ireland, for it would be a libel on that learned Gentleman to suppose that he would be a party to pack a jury. However, Mr. Seed said to whomsoever he had the conversation with—"Leave the matter to me; I will select the jury." Mr. Seed did not like the jury panel as provided by the sheriff and sub-sheriff, though the sheriff was neither a wild revolutionist, nor a man without property and ancient lineage. He was the Hon. Jellicoe Preston, the son of Lord Gormonstown, much respected in his county, one of the most extreme Conservatives in the East of Ireland, and had been the Conservative candidate against the right hon. Gentleman the present President of the Board of Trade. Now, the manner in which the jury panel was selected was, by taking the names of two ratepayers from each district in succession—that being the very principle adopted by the present Lord Chancellor of Ireland in a Bill now before the House of Lords. The jury panel so formed was objected to by Mr. Seed, because he thought that proper results would not come out. If it was not stated on oath by the Crown Solicitor himself, no man of right feeling could credit such an interference with the course of justice in Ireland. Mr. Seed said—"I know what you want; not justice but a conviction." [Mr. Gladstone: That is a gross imputation for the hon. Member to make.] Mr. Seed accordingly selected the jury, and the jury so selected might be described, in the words of Lord Russell, as one elaborately put together for the purpose of obtaining a conviction. When Lord Russell used that expression, did anyone then exclaim that it was "gross?" What was the constitution of the jury he was now referring to, and who were the jurors put aside? Two of the men set aside held at the present moment Her Majesty's Commission of the Peace, and he understood that they were appointed to the Commission of the Peace since the time of their rejection as jurors. The hon. and learned Gentleman the Solicitor General for Ireland had said that Mr. Seed did nothing but his duty, yet the fact was that the dice were loaded, and the result was a conviction. If they wanted to put down outrage, they should first convince the people of Ireland that the law was their friend, and not their enemy. He, therefore warned the Government and those hon. Members who had not thought it necessary to attend to the discussion of this question, that they were preparing dangers for the Irish people, and dangers and troubles also for the English people; and if Englishmen had hereafter to complain, men in Ireland who desired order, and were ready to risk popularity and sacrifice life, if necessary, in sustaining order and protecting property, would be the chief sufferers, living as they did among a people full of discontent and made discontented, by the avowal that the dice were loaded each time the jury box was filled, and that this was the ancient practice in Ireland.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Downing,*)—instead thereof.

Mr. GLADSTONE: I own I think it ungenerous on the part of my hon. Friend the Member for Kilkenny (Sir John Gray) to refer to the limited number of hon. Members in the House during the early part of the present Sitting, and thus to leave it to be inferred that here was to be found a proof of indifference on the part of the British Parliament to Irish affairs. Has my hon. Friend forgotten that during the greater part of the Session of 1868, during the whole Session of 1869, and during the greater part of the Session of 1870, this House—and it never was more crowded—was wholly occupied with Irish affairs? Has my hon. Friend forgotten that the affairs of Scotland and of England have been suffered to reach a legislative dead-lock solely through the anxiety of this House to deal with the affairs of Ireland? And is it worthy of him to descend to this petty artifice for the purpose of producing in Ireland an impression which he must surely, on reflection, see to be groundless? There were numbers of hon. Members present in the House; but it is not in the power of man to require hon. Gentlemen to remain upon these benches who think the subject of debate has been exhausted, and who, when they remain within the precincts of the House for the purpose of delivering their judgment on the Bill, think they can employ their time more profitably than in listening to repetitions of the very same speeches and arguments, or to topics the whole object of which is to widen the field of debate and render the progress of business impossible. With the greatest regret I did interrupt my hon. Friend, applying the word "gross" to a sentence which fell from him, and of which I am certain he did not himself see the full bearing. I will tell him why. It was because, in his animated recital, he put into the mouth of Mr. Seed, a most experienced and respectable officer of the Crown in Ireland—for such was the effect of my hon. Friend's words, though I am certain he never intended it—a delaration that his object was not to obtain a fair trial or justice, but to load the dice in order to procure a conviction. Against words like these, uttered with respect to a public officer who is not here to defend himself, I felt myself bound, even by an exclamation at the moment, to enter a warm and even an indignant protest. I do hope my hon. Friend will consider the position in which we stand. He has made a speech upon the basis of the defective state of the jury law in Ireland, and that is the reason he gives for renewing opposition to this Bill, on the Motion for the Speaker's leaving the Chair, and at a moment when, as he knows very well, we are endeavouring to amend this very jury law. Is that a fair and legitimate method of opposition? Of course, my hon. Friend knows that it is in his power entirely to disregard the material circumstances of this case, and to protract resistance to the measure by introducing into the debate what I fully allow in the abstract no hon. Member of Parliament can be prevented from introducing—any subject whatever connected with the general condition of Ireland. But is that desirable; after the disposition shown and the Acts passed by this Parliament, is that the treatment which it deserves from my hon. Friend? Let me now endeavour to draw the attention of the House to the point really at issue. I pass by the argument respecting the police tax, a question doubtless of importance for discussion, but not a question on which we are to decide to-day. I may notice, however, that the hon. Member for Cork (Mr. M'Carthy Downing) was quite incorrect in stating that the very same evidence on which we rely with regard to crime in Westmeath was the evidence we rejected with reference to the police tax; and I may mention that Mr. Julian, one of the most important witnesses examined before the Committee, practically declared in favour of the principle involved in the police tax. The Government have been blamed for the slowness of the proceedings of Parliament in this case; but that is no reason for changing a period of three months into a period of four months, a flight of fancy on which I should be sorry to dwell. If we have been slow, that has not been owing alone to the difficulties we have had to encounter in the conduct of Public Business. It is owing to the fact that we do not pretend that the interests with which we are dealing are the interests of a particular moment. We are now proposing a remedy for a chronic evil, not alone for a passing disease; and it is a remedy which we did not desire to pass without being subjected to the most searching scrutiny of Parliament. My hon. Friend the Member for Kilkenny says we have done nothing for these three months. Does he call "nothing" the animated and eager debates in this House, keenly criticizing the conduct of the Government, as was very proper, before the appointment of the Committee? Does he call "nothing" the investigation of the Committtee, the production of this volume of evidence, and the Report which the Committee have produced? Does he call "nothing" the debates upon this Bill in the House of Lords, which, so far as I have had the opportunity of becoming acquainted with their tenour, were honourable to that Assembly; because they showed that men of great weight and authority there, while ready to give to the Government the powers they thought necessary for the repression of crime, were deeply sensible of the nature of the sacrifices they were making in the interests of society, and knew how to appreciate the principles of personal liberty, and the value which the British Constitution sets upon these principles? So far, therefore, from nothing having been done, I contend that this interval of three months, since the subject was first mentioned in Parliament, has been well employed. It has produced the evidence upon which this Bill rests—not the mere product of official discussions carried on at the Castle at Dublin or in the Cabinet room in Downing Street, but a Bill which has passed through the searching ordeal of an inquiry, attended by Members of the Government it is true, but likewise by opponents of the Government, whose special duty it was to challence its proceedings; attended by men of judicial minds, who brought together with the highest capacity in the examination of evidence the best disposition to do justice in this case; attended by men like my hon. Friends (Mr. Downing and Mr. Maguire) and others, old and well-tried champions of freedom in the cause of the Irish people, sure to take advantage of every opportunity for searching to the very bottom whatever evidence might be urged in favour of coercion and repression; men in whose participation in the labour of the Committee, ending, as they do, in the presentation of a Report which has undergone the most searching tests. We, therefore, have the strongest assurance that the grounds upon which this measure rests and the testimony on which it is founded are unassailable. I have taken this opportunity of paying a just tribute to my hon. Friends, and I trust they will not think me ungenerous if I remind the House of the proposals which this Committee have unanimously carried, for we have it upon record, that with reference to the main proposals, with the exception of a single one recorded upon the minutes, relative to the amount of participation in these crimes exhibited by the farming classes, all the Committee concurred. The first declares the existence of secret societies, the painful indication of social and political disease. The second resolution declares those societies to have increased in power and influence of late years. In the third it is stated that evidence of crime is not forthcoming, and if that is so, I ask my hon. Friend what is the use of sending Special Commissions and covering the country with a more numerous body of police. The fourth resolution declares that, in consequence of these secret combinations, confidence in the law has decreased among the peaceful. In the fifth they declare that these frightful agencies have extended beyond the class connected with the occupation of land to others. In the sixth, they state that the organization is under persons who are supposed to be known to the officers of justice, but are practically unapproachable. They then state that all classes live in terror of this society; that you can no longer look to local society to furnish that assistance required in order to make the administration of the law comparatively easy; and they then go on to declare, with the assent of every Member of the Committee, that the present state of the law does not invest the Executive with all the powers necessary to deal with organized crime; and, lastly, they declare that the authorities have endeavoured vigorously to carry into effect the existing law, including the Peace Preservation Act; but, notwithstanding that, they have failed to bring to justice the perpetrators of the crimes which have given rise to the inquiry. Is it possible to have a stronger case? Is it possible to have this measure contested? Is it possible, I would add, for a Government to make a proposal with greater reluctance than we feel in submitting this? We are not ashamed of this reluctance, and I am not ashamed to own that, in reading the whole of the evidence, nothing has fortified me so much in incurring the responsibility of proposing such a measure as the evidence of those witnesses, who show beyond all doubt that they have the very same feelings of reluctance, and that nothing but a sentiment of paramount obligation has induced them to overcome that feeling. My hon. Friend has said that there has been no atrocious crime in Westmeath since the meeting of Parliament; but does he not see that, with the disposition towards Ireland for which he gives us credit, that it was our duty to revolve it carefully in our minds, and in correspondence with the Irish authorities, before we could permit ourselves to entertain the idea of coming to Parliament with the measure now before the House? Has not the case been fully stated, fairly heard, and deliberately decided upon, and decided on not by a hostile Parliament? The hon. Member for Meath (Mr. John Martin) has come among us with certain stereotyped opinions, which I will venture to call antiquated, for they are the inheritance of a former people—they are the growth of circumstances that have passed away; but I cannot wonder and cannot complain if he be so far the servant of the evil traditions of his country and the evil traditions of our country—for I fully admit that it is our rather than his countrymen who are responsible for the mischiefs that have come down to us—that he fails to exhibit upon his first coming among us that flexibility of mind which would enable him to appreciate the full force of the efforts, and, I may say, the sacrifices the British Parliament has made for the sake of carrying the spirit of peace into Ireland, and giving strength and unity to the Empire. I tell the hon. Member for Meath that we are not afraid to compete with him for the future confidence of Ireland. We see the nature of the challenge he makes to us; he proclaims himself as one of those who in foreign countries are called "the irreconcilables," and, perhaps, he does not decline the epithet. Well, Sir, he will pass away, and I shall pass away; but there are many who now sit here who, I firmly believe, will outlive the opinions of which the hon. Gentleman is now in this House the solitary organ. It is impossible that acts of justice and goodwill should not bear fruit. If we lose faith in that principle we lose faith in human nature; we lose faith in all that enables us to meet adversity, or makes national prosperity worth having. We acted on all the dearest principles of life and action when we professed our confidence in the people of Ireland, and when we ventured, even in these early days, to say that we constantly received the most gratifying testimony of the effect that is being produced—tranquilly and gradually produced—in the minds and hearts of the people, by the recent Acts of the British Parliament. The question has been deliberately heard, and solemnly decided. There has been no country that has been more happy than Ireland in the ability of its champions, in their eloquence, and their faculty of representing in the warmest and most glowing colours any cause they may espouse; but my hon. Friend (Mr. Downing) will not say I am unjust to him or his Seconder if I remark that this debate, which has been occupying us for the last two hours, has added nothing to our store of information in regard to the condition of Ireland. That is no reproach to my hon. Friends, for we have read in Virgil that if Troy could have been saved by any hand, it would have been saved by the right hand of Æneas; and if anything of novelty could have been imported to this debate by any voice it would have been by the voice and golden oratory of my hon. Friend. The question is an exhausted question, and the whole that remains to be considered is whether, by suffering some inconvenience, hon. Members will make practical progress; or whether, after the whole practical purposes of the debate have been obtained, we are to continue what I may call a repetition of words often used, deliberately weighed, and thoroughly unprofitable? I think something is due to the vast and overwhelming majority of this House. It must be admitted that the divisions which took place on former occasions exhibited what may be called a moral unity. I would put it to my hon. Friend whether any good can be done by producing in this country a public impression, to the effect that delay, and delay by a mere prolongation of discussion, is intended. [Mr. Downing: I have no idea of that at all.] Well, my hon. Friend has been with others engaged in this work of pacification and goodwill, and he knows perfectly well that to maintain a sentiment of goodwill on this side of the Channel is just as important as to propagate similar sentiments in Ireland. After the discussion which this subject has undergone in another branch of the Legislature, and in this House upon the second reading of the Bill, I think the time has come when we should best do our duty to the country by endeavouring rapidly to pass this measure, but not to pass it as a remedy. We never proposed it as a remedy. As remedies we look to the other class of measures to which Parliament has in the main given its sanction, and which, upon all other points, we believe it will be ready to deal with in the very same spirit; but we look upon this Bill as a measure which is necessary to remove a certain state of things in a particular spot—which state of things is an absolute impediment to the operation of order—which state of things has been described by my noble Friend the Chief Secretary for Ireland as intolerable, and which state of things, as we know from the evidence taken by the Westmeath Committee, and, above all, from the unanimous Report of the Committee, is really intolerable. I, therefore, Sir, while fully acknowledging the right to pursue a different course on the part of those who feel that to be their duty, trust that hon. Gentlemen, in the present state of Public Business, with which the credit, dignity, and character of this House are so closely associated, will show a disposition to forego something of those privileges which they might be disposed to claim under other circumstances; and, submitting their judgment, after the full expression of all they think and feel, to the plain, overwhelming, and almost unanimous judgment of the public, will allow you, Sir, to leave the Chair, and the House to address itself to the consideration of the particular measure which is before it.

Mr. JOHN MARTIN, as an Irish Member, opposed to this measure both in principle and detail—in whole and in all its parts—must renew his protest against it at every stage of its fatal progress. He did expect that the right hon. Gentleman at the head of the Government would, on the second reading of this Bill, have come forward to vindicate this exceptional policy, which had been applied only to Ireland, and never to England or Scotland; but he had thought proper to leave this vindication of the policy, for which he was morally responsible, to the talented and learned Gentleman the Solicitor General for Ireland. That hon. and learned Gentleman had, in his opinion, a very comic way of doing rather tragic business; his statements and arguments might be satisfactory to the Government with which he was connected, and to the majority of the House; but he felt bound to say, however well those statements and arguments, or things which passed for arguments, might be received in that House, they would in Ireland be received merely as the statements of an advocate speaking from his brief. He (Mr. Martin) believed the right hon. Gentleman at the head of the Government was desirous of conciliating the Irish people by redressing their wrongs, every one of which resulted from the rule of which he was the head, so far as what he and Parliament regarded as English interests would permit. He regarded him as a conscientious man; and they all knew how able and experienced he was in conducting a debate. The right hon. Gentleman began his eloquent speech by administering a rebuke to his hon. Friend the Member for Kilkenny (Sir John Gray), and asked if he had not felt grateful for the time and pains which this Parliament had devoted to the affairs of Ireland. Now, that might be a valid argument addressed to the hon. Member for Kilkenny, if it was not the fact, that the people of Ireland had not asked this Parliament to take charge of their affairs; on the contrary, they had never consented, and he believed they never would consent, that this Parliament should have the charge of their affairs. However the people of Ireland might be forced to submit to the laws of this country, as they had always submitted, they would never acknowledge the right of any other authority to make laws binding on the Irish people, except the Queen and the Lords and Commons assembled in free Parliament of Ireland. The right hon. Gentleman (Mr. Gladstone) had seemed to challenge him as to the reception that would be given by the people of Ireland to his "antiquated policy," as he was pleased to term it. He was willing to accept the challenge of the right hon. Gentleman upon fair conditions. [Mr. GLADSTONE smiled.] The right hon. Gentleman laughed — he hoped he would not sneer. [Mr. GLADSTONE: I beg the hon. Gentleman's pardon; I did not laugh at him: a smile is not a sneer.] He (Mr. Martin) would accept the right hon. Gentleman's challenge on these conditions—let him suspend for one year the system of illegality by which Ireland was governed—the jury-packing system, which had been the rule in all political trials so long as he had been able to observe public affairs in that country; let the rights of the Constitution, as they existed in England and Scotland, be restored to Ireland—let the people of Ireland be entitled to have arms, to learn the use of them, to form themselves into Volunteer companies; let them have a free Press; let that system be tried for one year, and it would be seen whether the policy of this measure was a wise and patriotic policy to pursue, and whether, on the other hand, the confidence he felt in the ineradicable love of freedom of his countrymen would not turn out to be correct. The right hon. Gentleman objected to the hon. Member for Kilkenny complaining of the jury system, when the Government was about to introduce a measure to amend that system; but why should the jury system of Ireland require amendment? Had not every Irishman a right to a fair trial before his peers as well as every Englishman? There was one remark, which, with perfect frankness, he should like to address to the right hon. Gentleman. The suspension of the Habeas Corpus in Westmeath and in portions of Meath had been advocated on the ground, that offences against the law were committed in that part of Ireland, and that it was not practicable for the law authorities to obtain evidence by which to detect and punish the offenders. Then it was immediately concluded from that premise, that the Habeas Corpus Act should be suspended, and that the Lord Lieutenant should be enabled to seize and imprison for two years any or all of the inhabitants of these districts. It had, however, never occurred to any of the advocates of this measure, to show in what way the imprisonment of some or all of the inhabitants of these districts would enable the Government in Ireland either to detect or to punish the criminal. Although the people of this country had long ago got rid of the antiquated notion of the Divine right of Kings, they appeared to have supplanted it by the worse notion of the Divine right of Ministers. It had been argued by the hon. and learned Gentleman the Solicitor General for Ireland, and also by the noble Lord who introduced the measure in "another place" (the Earl of Kimberley), that the Lord Lieutenant would know whom to imprison and whom to leave untouched; and the former had already congratulated the House upon the fact, that even an attempt to pass this measure had induced suspected parties to fly from the country. If the Lord Lieutenant, assisted by the hon. and learned Gentleman the Solicitor General for Ireland and the stipendiary magistrates of Westmeath, Meath, and King's County was as infallible as the Pope himself, and was all-seeing and all-knowing upon this subject, why did not the Government pass a Bill through Parliament empowering the Lord Lieutenant to hang and transport every inhabitant of Ireland whom he might suspect? There would be quite as much respect for constitutional law in such a measure as there was in that now before the House. He was anxious to take this opportunity to state that he had received four letters from his constituents, in which the idea was expressed that the right hon. Gentleman and his party were anxious to pass this Bill in order that they might take vengeance upon those who had voted in his favour; but he begged to assure the right hon. Gentleman that he in no way held such an idea himself, and he merely referred to the fact in order to point out to the right hon. Gentleman the invidious position in which he had placed himself by bringing forward such an iniquitous and absurd measure as that under discussion. He was aware that the House must listen with somewhat of impatience to his remarks, and he thanked them for the indulgence and courtesy they had already accorded him; but while saying that he could scarcely express the indignation he felt at having to express sentiments which were those of nine out of every ten of the Irish people before a careless and an impatient House. He complained, not of the manner in which he had been listened to, but of the gulf of mind that existed between the House and himself on this subject. The people of Ireland were perfectly willing to be the good friends of the people of England, but they would never consent to become their subjects—never! It would be the wiser part for the people of England to make friends of the people of Ireland, and especially of the Catholic peasantry of that country, whom he knew to be the most inoffensive, the most gentle, the most forgiving, and most moral population in Europe. Hon. Members in that House frequently spoke of Irish crime and outrage, of which they spoke with the utmost horror — Pharisaical cant! but what would the simple, noble, pious Catholic peasantry of Meath think of the criminal condition of this country, when they learnt that a Committee was sitting up-stairs to inquire into the best mode of giving protection to infant life in England? He did not expect that that inquiry would result in a Bill being brought into that House with the title "Protection of Infant Life (England) Bill." He thanked the House for the attention with which they had listened to him; but that attention was simply the attention of courtesy, for hon. Members generally were too ignorant of the facts relating to Ireland to be able to follow him closely. They would, however, have their information considerably improved if they would but read two books upon the subject—namely, Prendergast's *History of Ireland since the Cromwellian Settlement*, and John Mitchell's *History of Ireland since the Treaty of Limerick.*

MR. PEMBERTON said, he most ardently supported the measure, which he believed was rendered necessary by the inadequacy of the existing law.

MR. HENLEY said, he must express his surprise that the hon. Gentleman the Member for Meath had not thanked the right hon. Gentleman at the head of Her Majesty's Government for adopting a course of conduct which was better calculated to play his own game than anything else that had been done in opposition to the measure. In spite of their repeated assertion that life and property were insecure in certain parts of Ireland, the Government, instead of attempting to pass this measure before Whitsuntide—an attempt which would have been certain to succeed—had proceeded on Tuesday last with a measure with regard to which it did not matter one halfpenny whether it became law 10 days earlier or later. Those whose lives were in danger in Ireland from the attacks of Ribbonmen must feel that the Government cared very little about them. When the Constitution was to be suspended, it ought to be upon a full and strong belief by the Government in the necessity of such a measure, and they ought to go on with it with all reasonable dispatch. Now, this measure came down on the 5th of May from the House of Lords, and no human being could say that the Government had used reasonable despatch respecting it, for it might have been taken last Tuesday, and passed before Whitsuntide. If it had been necessary to suspend the Habeas Corpus Act in England, and the Government, instead of pressing on the Bill, had asked the House to proceed with some measure relating to Trinity College, Dublin, there would have been a universal feeling throughout the country as to the inconsistency of such a proceeding. He repeated, therefore, that the Government had been really playing the game of the hon. Member for Meath by this delay.

The SOLICITOR GENERAL for IRELAND (Mr. Dowse) said, as he had been pointedly alluded to in the debate, he thought it necessary to make one or two observations. First, he would say he never intended to convey to the House that the hon. Member for Cork county (Mr. Downing) did not make any points in the Committee; what he had said was that the hon. Member, having agreed on the Report of the Committee as it now stood, made no suggestions in this House and opposed the only suggestions that the facts warranted. He also said that the hon. Member for Cork county did not do what he might have done—namely, call and examine witnesses on behalf of his view of the case. As the hon. Member did not examine any of his own witnesses, it did not lie in his mouth to complain of the Report founded upon the evidence produced, to which Report he himself was an assenting party. Now, with regard to what had been said by the hon. Member for Kilkenny (Sir John Gray) that hon. Gentleman said he (the Solicitor General) had laid down a proposition that all Irish Members who did not agree with the Government on this question were aiders, abettors, and sustainers of this Ribbon conspiracy. He had never said anything of the kind, nor intended to convey anything of the kind; for he believed that the Irish Members who opposed this Bill had as great an abhorrence of crime as he had. They exercised the full freedom of debate; but he was not only an Irish Member, but a Member of the Government; and being so, he thought they ought to make the same allowance for him as he was willing to make for them. The hon. Member also stated that he was a friend to the jury-packing system in Ireland——

Sir JOHN GRAY hoped he had never used the coarse language which the hon. and learned Gentleman attributed to him.

The SOLICITOR GENERAL for IRELAND (Mr. Dowse): Well, his hon. Friend said that juries were packed in Ireland, and that that system was justified by him (the Solicitor General). His hon. Friend, at the same time, complimented the Attorney General for Ireland, and held him up for the approbation of the House. Now, he had nothing to do with the case in question further than holding a brief at the trial. He had nothing to do with criminal prosecutions unless he was brought in as Solicitor General. The Attorney General was the public prosecutor. He could, therefore, give an impartial opinion on this case. All he did was to defend his right hon. Friend the Attorney General for Ireland against the charge made against him. So far as packing juries was concerned, he was as much opposed to it as any hon. Member of that House.

Sir JOHN GRAY explained. What he had said was that the Solicitor General for Ireland had defended the course which Mr. Seed described in reference to the packing of a jury in the case so often referred to.

The SOLICITOR GENERAL for IRELAND (Mr. Dowse): Well, if that were so, it was in effect charging him with defending the packing of juries. He was, however, willing to accept the explanation of his hon. Friend, because it was of far more value to him to preserve his character before his countrymen than to retain the situation which he had the honour to hold. However much he valued that situation, he would at once resign it if he found the holding of it inconsistent with the duty which he owed to his country.

Mr. CONOLLY said, he must complain of the Government not pushing this Bill through Parliament with adequate haste. ["Question!"] It was the question; and he would say that four months had been deliberately wasted by the Government before bringing to an issue this question, and those four months had been months of dreadful and deplorable anxiety to all those persons in Ireland who were suffering from the infliction of this Ribbon conspiracy.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 162; Noes 7: Majority 155.

NOES.

Callan, P.
Fagan, Captain
M'Mahon, P.
Maguire, J. F.
Matthews, H.
O'Brien, Sir P.
Synan, E. J.

TELLERS.

Downing, M'C.
Gray, Sir J.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Application of Act).

MR. M'MAHON, pursuant to Notice, moved the omission of the clause. As the clause stood it did not enable the Lord Lieutenant to arrest any member of the Ribbon conspiracy who might happen to escape from Ireland to England or Scotland. Now, although he was altogether opposed to class legislation of this kind for Ireland, believing that remedial legislation was the best cure for the evils complained of, nevertheless it appeared to him that, as the object of giving two years' imprisonment was to suppress this conspiracy, the measure would prove abortive unless the authorities could put their hands upon the conspirators in any part of the United Kingdom. The evidence before the Committee showed that the conspirators often left Ireland to carry on their operations from England and Scotland, having passwords and changing them every quarter. He need only refer to the evidence of Captain Talbot, resident magistrate, and Mr. Seed, the Crown Prosecutor, in proof of those facts. He had also received a letter from the clerk to the Limerick Board of Guardians, a gentleman who was also a magistrate for the counties of Limerick and Mayo, also bearing testimony to that state of things. If this Bill was intended to suppress the Ribbon conspiracy it must give power to seize the conspirators wherever they might be found; and he was sure the Government would have cause for regret if they did not omit the 2nd clause as he proposed.

MR. H. A. HERBERT supported the proposition of the hon. Member for New Ross, because he thought it important that it should be understood in Ireland that Englishmen were not only anxious to suppress these crimes in Ireland, but also to exclude the machinery of the society from England.

MR. PIM said, he also hoped the Government would assent to the suggestion of his hon. Friend the Member for New Ross, as he believed without the proposed power of arresting suspected persons the Bill would be ineffective.

DR. BALL doubted whether the Amendment proposed would meet the object which the hon. Member for New Ross had in view. No doubt another clause could be framed, but it was not at present before the Committee. Two entirely different matters had been advocated in order to support the Amendment. One was that the Bill should give power to arrest Ribbonmen, whether in Manchester or elsewhere; and the other, that it sought to give power to the authorities to follow suspected persons to this country. But the first of these points related to a power of general arrest, whereas the Bill confined arrests to the county of Westmeath and surrounding districts; and, therefore, the proposition was beyond the scope of the Bill. It might be a question whether it was not advisable for the Government to introduce a clause stating that the Lord Lieutenant's warrant should run in England, and be capable of being enforced in this country. But the Government were the proper authorities to decide that matter. If they thought it desirable he would support a clause of that kind; but if they did not wish for such power he would not press it upon them. This measure was composed of two parts; the first enabling a suspension of the Habeas Corpus Act in regard to persons in the neighbourhood of Westmeath, and the second having reference to the provisions of the Peace Preservation Act, which were of vital consequence, and if not renewed would cease to exist in August. But by omitting this clause, providing that the Bill should apply only to Ireland, some question might arise as to how far those provisions could be extended to England.

MR. W. H. GREGORY stated that his hon. Friend (Mr. M'Mahon) simply desired to accomplish what the right hon. Gentleman said might be done; and he moved the rejection of this clause in order to raise the question whether words could be introduced into the second part of the Bill, confining the application of the Peace Preservation Act to Ireland only. To retain this clause, and afterwards introduce words making the Lord Lieutenant's warrant run in England would be a clumsy mode of proceeding.

THE MARQUESS OF HARTINGTON said, it certainly could not be supposed that this Amendment was moved in any spirit of hostility to the Bill, for the hon. Mover of the Amendment desired, with the Government, to make the Bill as effective as possible. He would not follow the observations of the right hon. and learned Gentleman (Dr. Ball) as to the form in which this power should be given; but he wished to state that in framing this measure they had proceeded on the principle of asking for exceptional powers within as narrow and strict limits as they could possibly devise for the purposes in view; and conforming to that principle the Government had not asked for any power which they did not think absolutely necessary, or which they did not expect to use. The mere extension to England of the power conferred by the Bill would not enable them to seize persons supposed to be leaders of organizations in Manchester or Liverpool; for, unless they had been in Westmeath within a certain time, the authorities could not touch them. All they could do would be to follow to England or Scotland such Westmeath Ribbon leaders or persons guilty of crime in Westmeath who might take refuge in those countries. But he did not think such power would be of great use to the Government, because they would probably be able to arrest those persons before they left Ireland. In fact, they never contemplated enforcing the power given by this Bill except in the district of Westmeath and the immediate vicinity. He could not deny, however, that an extension of power might in some instances be of service, and as the feeling of the Committee seemed to be in favour of the proposal

of the hon. Member for New Ross, he would be happy to consider, in conjunction with the Irish Government, in what way such power could be best taken, and he trusted the hon. Member would be satisfied with that assurance.

MR. M'CARTHY DOWNING said, he hoped that the noble Lord the Chief Secretary for Ireland would, in order to avoid offending English feeling, provide that no persons should be arrested in England except Irishmen, or those bearing the appearance or being suspected of being Irishmen.

MR. M'MAHON said, he would not press his Amendment after the promise of the noble Lord the Chief Secretary for Ireland.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 3 to 6, inclusive, *agreed to.*

Clause 7 (Power to Lord Lieutenant by warrant to commit without trial certain persons).

MR. G. B. GREGORY proposed the introduction of words applying the clause not only to the Ribbon Society, but to "any other combination having the like nature or objects." The Bill spoke only of the Ribbon Society, which was a recognized organization, but he was apprehensive that if the Bill passed the society would change its name and alter its organization; so that while carrying on the same work it would not come within the operation of the Bill without this Amendment.

MR. M'MAHON remarked that the Amendment ought not to be accepted, because the Bill did not describe the nature or objects of the Ribbon Society.

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE) also thought the Amendment unnecessary, as Ribbonism was a generic name, and would include all organizations of the kind referred to, and the Bill spoke of the combination "generally known by the name of the Ribbon Society."

Amendment, by leave, *withdrawn.*

MR. BAGWELL moved to omit the words "or who on the first day of January 1871, or on any subsequent day," in order to insert "after the passing of this Act," and thus avoid any retrospective operation of the Bill.

SIR COLMAN O'LOGHLEN supported the Amendment, as being in accordance with precedent.

THE MARQUESS OF HARTINGTON said, the clause would be wholly inoperative without the words objected to, for a Ribbonman would have nothing more to do than to cross the boundary and yet continue to direct the society's operations.

Amendment *negatived.*

MR. BAGWELL moved, in lines 37 and 38, to omit the words "judge or," with the view, he said, of leaving the tribunals of the land still open.

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE) opposed the Amendment, and said that the whole clause might as well be left out as the words in question.

Amendment *negatived.*

Clause *agreed to.*

Clause 8 (Persons to whom warrants of commitment are directed shall detain the persons so committed in safe custody. Persons charged with custody, as also place of detention, may be changed by warrant as herein mentioned).

MR. M'MAHON moved another Amendment, substituting, in line 14, the words "United Kingdom" for the word "Ireland," in line 14, with a view to make the Bill operative in the United Kingdom, instead of being limited to Ireland, and expressed an opinion that this clause could not be amended on the Report. Whatever might be done with regard to Clause 2, it was essential to amend Clause 8 at this stage.

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE) thought the hon. Member for New Ross was asking the Committee to decide in his favour, whereas all that the Government had undertaken to do was to consider the matter. They would not, however, adopt the suggestion unless, on consideration, they thought it right to do so. He hoped the Amendment would not be insisted on.

MR. W. H. GREGORY supported tht Amendment, without which the Bill would be worth nothing. He hoped his hon. Friend the Member for New Ross would press it.

MR. WEST hoped the hon. Gentleman the Member for New Ross would not go to a division on the Amendment. Whether this Bill should be made to apply to England was a serious and an important question which would require careful consideration.

DR. BALL advised the hon. Mover not to press his Amendment at present, as, by itself, it would introduce inconsistency between that clause and the rest of the Bill.

SIR COLMAN O'LOGHLEN hoped that the Amendment would be pressed, unless there was a distinct pledge that the Government would bring up a new clause upon the Report.

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE) said, that there was a pledge by his noble Friend the Chief Secretary that he would, during the Recess, bring the matter to the attention of the Government, and with every desire to give full effect to the suggestion that had been made.

COLONEL WILSON PATTEN thought that as there were some technical difficulties in the way, the matter had better be left in the hands of the Government.

MR. W. H. GREGORY observed, that it was the almost universal opinion that to give efficiency to the Bill there must be power to arrest the persons complained of in other places than Ireland.

THE MARQUESS OF HARTINGTON said, he had hoped that the pledge he had already given was distinct. He had tried to explain that that was not a very simple matter, because he supposed that nobody wanted to give the Lord Lieutenant of Ireland an unlimited power of arresting persons in England. But he had undertaken, before the Report, to consider and bring up a clause, which would enable the Lord Lieutenant of Ireland to exercise the power—which he understood the Committee desired should be vested in him—of following the persons mentioned in the Bill from Ireland into England or Scotland.

MR. M'MAHON said, upon this assurance, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 9 (All persons in custody under this part of this Act to be treated as untried prisoners).

SIR COLMAN O'LOGHLEN moved, that in line 36, the following words be inserted after "prisoners"—namely—

"And if detained for a longer period than fourteen days, shall be detained in such one or more of the Government prisons in Ireland as the Lord Lieutenant shall from time to time appoint, and not elsewhere."

The object of the Amendment, he stated, was to make the Government responsible that those who were arrested should be treated in one uniform manner.

THE MARQUESS OF HARTINGTON assured the right hon. and learned Baronet that every care would be taken to secure the good treatment of the prisoners apprehended under the Act. He objected to the Amendment, however, on the ground that it might occasionally be convenient to confine the prisoners in the county prisons.

House *resumed.*

Committee report Progress; to sit again *this day.*

And, it being now Seven of the Clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the Clock.

SUPPLY.

Resolution [May 25] *reported.*

Motion made, and Question proposed, "That the said Resolution be now read the second time."

Debate arising.

Debate *adjourned* till *this day.*

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL—(*Lords.*)—[BILL 129.]

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 9 (All persons in custody under this part of this Act to be treated as untried prisoners).

SIR COLMAN O'LOGHLEN said, he would withdraw his Amendment referring to the detention of arrested persons in Government prisons, and would proceed to move another referring to the treatment of untried prisoners. He would move to omit the provision that it should be lawful for the Lord Lieutenant to prohibit any prisoner from holding any communication, either by word of mouth or in writing, with any other person who was not in the service of Her Majesty, or duly authorized to make such communication. Those words had been inserted during the passage of the Bill through the House of Lords, and they would prevent a prisoner from either seeing his friends or consulting a professional adviser. He would propose, therefore, to restore the Bill to its original form, and also to add words providing that all orders made by the Lord Lieutenant for the treatment of untried prisoners should be laid before Parliament, together with a list of the prisoners and a statement of the grounds on which they were arrested. He felt it to be necessary to give to the Government the powers for which they asked; but as those powers were extraordinary, it was necessary to provide safeguards for their proper use.

THE MARQUESS OF HARTINGTON said, that he had no objection to that part of the right hon. and learned Baronet's Amendment which related to laying on the Table of the House the orders made by the Lord Lieutenant, and the list of prisoners arrested under the Act; but he could not consent to the omission of that part of the clause which enabled the Lord Lieutenant to prohibit the prisoners from holding any communication with others by word or writing. If it was considered for a moment what these prisoners were supposed to be, and who were their friends, the Committee would see that the restriction in question was absolutely necessary. The prisoners that would be arrested under the Bill were supposed to be engaged in the Ribbon conspiracy, and unless the Lord Lieutenant had the power now proposed to be given it would be possible for a leader to direct the proceedings of the conspirators from the prison in which he was confined. There was no desire, however, on the part of the Government to prohibit any communications that might not be dangerous.

Amendment, by leave, *withdrawn.*

Amendments made.

Clause, as amended, *agreed to.*

Clause 10 (Duration of Part I. of Act).

SIR COLMAN O'LOGHLEN rose to move an Amendment. He said, what was proposed in this clause raised a grave constitutional question, for it was proposed to suspend the Habeas Corpus Act for two years. The Bill put forward to effect that purpose was a sort of hybrid Bill, and was the first in which it was proposed to mix up the suspension of the Habeas Corpus Act with provisions of another kind—namely, the continuance of the Peace Preservation Act of 1870. The Habeas Corpus Act had been in existence now for nearly 200 years. From 1679 until 1700 it had been suspended in England twice; during the 18th century it had been suspended on eight different occasions; and in the 19th century twice, the last time in 1817 or 1818, when Lord Sidmouth was First Minister. But from the time the Habeas Corpus Act became the law of the land the House of Commons had never consented to its suspension for more than 12 months, and now, for the first time, it was sought to establish a new precedent. The Act was suspended in 1689 for the first time, and never for more than a period of nine months, until 1722, when it was suspended for 12 months. Since that time 150 years had elapsed, and although during those years great difficulties had to be met, the suspension of the Act never extended beyond 12 months. He hoped, therefore, that a Parliament which had been returned on the basis of household suffrage would not set an example for which there was no precedent. He begged to move, by way of formal Amendment to give effect to his views on the point, that in page 5, line 4, the word "three" be omitted and the word "two" inserted.

Amendment proposed, in page 5, line 4, to leave out the word "seventy-three," and insert the word "seventy-two."—(*Sir Colman O'Loghlen.*)

MR. BAGWELL said, he entirely concurred in the opinion expressed by his hon. Friend, and for the sake of preserving some remnant of the Constitution, and promoting good feeling in Ireland, he should support the Amendment.

THE MARQUESS OF HARTINGTON said, he must congratulate the right hon. and learned Baronet on the ingenuity with which he had educed a constitutional theory out of a Bill which proposed a breach of the Constitution. Nothing but a grave necessity would lead the Government to propose to suspend the Habeas Corpus Act; but when that necessity existed, it was best to use the means most likely to answer the purpose. Now, in the opinion of the witnesses examined before the Committee, two years were the least period during which the suspension would be of any value; and that being so, the right thing was to make such a proposal in the most open, straightforward manner, not asking to suspend the Act for one year, with a resolve to come again and require the suspension for another year. If the duration of the Bill were limited to one year, the House would be told next Session that there had been no disturbances, and that, therefore, the renewal of the Bill was unnecessary, though the non-existence of outrages might have been owing to the operation of the Bill; or they might be told that there had been outrages, and therefore the Bill was clearly of no use. He wanted to see the people of Westmeath and other parts of Ireland do as the people of England did—preserve the peace for themselves. But before such a state of things could exist there must be a certain amount of confidence and of respect for the law. Unfortunately, in these districts there was no confidence and no respect for the law. The law most respected was the Ribbon law, and until the people had learnt that there was a stronger law than Ribbon law, it was useless to expect assistance from the people in preserving order. The effect of all the evidence was to show that the people were so paralyzed and so submissive to the organization of the Ribbon Society, that nothing but extraordinary powers placed in the hands of the Executive for some considerable period would change the feeling. He hoped that in two years such an amount of confidence would be restored among the better-disposed part of the people of Westmeath, that evidence would be forthcoming against the disturbers of the public peace, and that the Government would be able to obtain convictions. He hoped also that a period of peace and tranquillity of this duration would instil into the minds of the people of Ireland a feeling that it was better for themselves in every way to uphold law rather than submit to the tyranny of the Ribbon organization. This was the most important clause in the Bill, and on the part of the Government he could not consent to limit its operation to one year.

THE O'CONOR DON said, he hoped the right hon. and learned Baronet would withdraw his Amendment, as he (The O'Conor Don) entirely concurred in the remark of the noble Lord the Chief Secretary for Ireland, that there was far greater danger to the Constitution in annual Coercion Bills for Ireland, brought forward and passed as a matter of course, than in a measure like this. The right hon. and learned Baronet himself assumed that the Act would be renewed next year; and if its renewal were certain, no matter what the state of the country, there was no earthly use in limiting the duration of the Bill, and producing fresh irritation next year by a revival of the question. He disliked Coercion Bills; but these annual renewals of them were unconstitutionalism made constitutional.

Mr. M. CHAMBERS asked why, to meet a temporary difficulty, it was necessary to suspend the Habeas Corpus Act or deny the right of any of the Queen's subjects to a writ of Habeas Corpus for two years or two years and a-half? In frittering away this constitutional safeguard in the case of Ireland, there was a danger of its being disregarded and undervalued in the case of England also. It was impossible to find any precedent or instance in which Parliament had delegated authority to councillors or officers of the Crown to imprison at pleasure the subjects of this realm for two years. According to the history of England—and he wished the Government would sometimes be induced to look to our historical records and struggles, it was a violation of principle as well as of precedent for Government to demand these extraordinary powers for a period beyond the time when Parliament would meet again, or until the end of the next Session. He was of opinion that every patriot —though he confessed patriotism was certainly now at a very great discount —should stand up and say that he would not consent to such a protracted suspension of the Habeas Corpus Acts. On another occasion a proposal might be made to suspend these Acts for three or four years, until at last they might be thought a matter of convenience to obliterate them altogether from the Statute Book. It was stated, as an argument in favour of the clause, that a Committee of Inquiry had been sitting, and had made a Report; but he had not that awful respect, especially on a great constitutional question like this, for proceedings before a Committee which some persons felt, nor did he think that the House was bound to take for granted the accuracy of witnesses produced on one side of the question; and he asked whether there would not be a universal outcry if ever it were proposed to suspend the Habeas Corpus Statutes in this country for two years. For that reason, therefore, he should oppose their suspension in Ireland for more than a year.

Mr. M'MAHON said, the Parliament was liable to a dissolution. This year they would have the Ballot. They were promised it by the Prime Minister, and he believed they would get it. If so, the Government would fail in its duty if it did not, in the coming Reform Bill, give seats to Ireland on the same principle as seats had been given to England. The present Bill for the suspension of the Habeas Corpus Act would expire in June, 1873; but before that time there would, in all probability, be a General Election, and if that occurred, how could they have a free election in Ireland, a portion of the constituency being gagged as it would be by this Bill? Why, the Lord Lieutenant of Ireland would be at liberty to suppress newspapers for sedition; and they all knew how easy it would be to bring the Press under the penalties of the Act in that respect enacted. Why should they allow the Government to possess the extraordinary powers which would be given them by this Bill for so long a period beyond the constitutional term of 12 months?

The SOLICITOR GENERAL for IRELAND (Mr. Dowse) said, he had not the slightest objection to the division being taken upon both clauses at the same time, nor had he any objection to the hon. and learned Member for Devonport (Mr. M. Chambers) discussing Irish as well as English subjects; but he protested against his doing the first until he had read his brief, and knew what he was speaking about. He ventured to assert that the hon. and learned Gentleman had not seen the inside of the Bill, or the Report of the Committee to which he had alluded, or he would not have ventured to reiterate the statement that the Bill suspended the Habeas Corpus Act for two-and-a-half years. The Bill, when passed, would not receive the Royal Assent until the 1st of June, and it would expire the 1st of June, 1873; and therefore how it could be made retrospective so as to enable the authorities to apprehend a man on 1st of January last, six months before the Act would come into operation, he was at a loss to understand. It was, however, necessary when it came into operation that it should apply to offences committed since the 1st of January last. This was the first time the suspension of the Habeas Corpus Act had been applied to social and agrarian crimes; but it had been demonstrated in argument that it was absolutely necessary it should be so applied. If, then, it was necessary it should be done, it was idle to say it should be done for a short period only, thereby increasing local irritation and discontent. There was a secret and hidden agrarian conspiracy in this part of Ireland smouldering instead of bursting into a flame, creating a system of terrorism, which the well-affected were obliged to bow before rather than the ordinary law of the land. The only way it could be dealt with was by extraordinary powers, and for a defined and substantial period.

SIR COLMAN O'LOGHLEN said, he agreed in the usefulness of the measure, but he objected to the suspension of the Habeas Corpus Act for so long a period. If the Government would undertake to restore peace in that part of Ireland within two years, he would, though reluctantly, consent to the proposal; but there was no guarantee that they would not, at the end of two years, come forward and ask for a further extension of time. The Act had never for 200 years been suspended for more than a year at any one period, and for that reason he should like to take the opinion of the Committee upon the expediency of prolonging the term.

THE O'CONOR DON said, that what he had said with regard to the Amendment did not apply to the clause continuing in force the Peace Preservation Act.

Question put, "That the word 'seventy-three' stand part of the Clause."

The Committee *divided:*—Ayes 60; Noes 8: Majority 52.

Clause *agreed to.*

AYES.

Adderley, rt. hon. Sir C.
Ayrton, rt. hon. A. S.
Baxter, W. E.
Birley, H.
Booth, Sir R. G.
Bowring, E. A.
Brewer, Dr.
Brinckman, Captain
Bristowe, S. B.
Bruce, rt. hon. H A.
Cawley, C. E.
Coleridge, Sir J. D.
Craufurd, E. H. J.
Dalglish, R.
Denman, hon. G.
Dickinson, S. S.
Dowse, R.
Duff, M. E. G.
Enfield, Viscount
Eykyn, R.
Forster, rt. hon. W. E.
Fortescue, rt. hon. C. P.
Gilpin, C.
Gladstone, W. H.
Goldney, G.
Gore, J. R. O.
Goschen, rt. hon. G. J.
Hanmer, Sir J.
Hartington, Marquess of
Herbert, H. A.
Hibbert, J. T.
Kay-Shuttleworth, U. J.
Knatchbull - Hugessen, E. H.
Lefevre, G. J. S.
Lopes, H. C.
Lowther, J.
Lusk, A.
Macfie, R. A.
M'Laren, D.
Mellor, T. W.
Meyrick, T.
Miller, J.
Morley, S.
Mundella, A. J.
O'Conor Don, The
Parker, C. S.
Patten, rt. hon. Col. W.
Peel, rt. hon. Sir R.
Phipps, C. P.
Playfair, L.
Potter, E.
Robertson, D.
Scourfield, J. H.
Stepney, Colonel
Stevenson, J. C.
Storks, rt. hon. Sir H. K.
Talbot, J. G.
Wheelhouse, W. S. J.
Williams, W.
Winterbotham, H. S. P.

TELLERS.

Glyn, hon. G. G.
Greville, hon. Captain

NOES.

Callan, P.
Chambers, M.
Charley. W. T.
M'Mahon, P.
Maguire, J. F.
O'Brien, Sir P.
Synan, E. J.
White, J.

TELLERS.

O'Loghlen, rt. hon. Sir C. M.
Bagwell, J.

Clause 11 (Continuance of Peace Preservation (Ireland) Act, 1870).

THE MARQUESS OF HARTINGTON moved, in page 5, line 6, after 1870, to insert—

"And the Act and Acts therein designated or referred to as 'The Peace Preservation Act,' as altered and amended by this part of this Act."

Amendment *agreed to.*

THE MARQUESS OF HARTINGTON moved to omit the remainder of the clause, after "seventy-three" in line 12.

THE O'CONOR DON said, he must oppose the clause altogether. He considered its taxing powers on districts where an outrage was committed as one of the most mischievous parts of the Peace Preservation Act. He should, therefore, divide the Committee upon it. When it was proposed to read the Bill a second time, he contended that before the Committee upstairs there was no substantial evidence in favour of the proposal; but that, on the contrary, it showed that the system of taxing a locality for crimes committed therein was fraught with the greatest possible evil. With only two exceptions, the evidence of the witnesses was that the system produced disloyalty and disaffection, and that it had not led to the detection or diminution of crime. He objected to the tax on principle, but he objected still more to the tribunal to which it was entrusted—namely, the grand jury, consisting of 23 gentlemen, for whom no qualification whatever was required, and who were appointed by a gentleman who might not possess any qualification himself.

Amendment *agreed to.*

Mr. BAGWELL then proposed to omit from the present Bill Clause 13 of the "Peace Preservation Act, 1870," which, he remarked, might be briefly described as the "perjury" clause.

The Marquess of HARTINGTON was unable to assent to the omission of the clause, which simply empowered a magistrate to examine witnesses, even though there was no person charged before him with having committed a particular offence.

Amendment *negatived.*

Mr. BAGWELL next moved the omission from the Bill of Clauses 30-34—the Press clauses—of the Peace Preservation Act of last year. The hon. Member remarked that his object was to leave the Press subject to the operation of the common law.

Amendment proposed,

In page 5, line 12, at the end of the Clause, to add the words "with the exception of the Clauses 30, 31, 32, 33, and 34 of the Peace Preservation (Ireland) Act, 1870."—(*Mr. Bagwell.*)

Mr. MAGUIRE, amidst considerable interruption, supported the Motion, and said, he thought it most unbecoming that hon. Gentlemen should endeavour to stifle discussion upon this question, while they had shown themselves very tolerant indeed of long speeches upon other subjects in the course of that very week. They were continually being lectured from the Treasury bench, and from other parts of the House, about the "sanctity of the British Constitution;" but when he saw the way in which the liberties of a country were dealt with when it came to actual legislation, he was sometimes disposed to believe that the British Constitution was "all fudge." When the Peace Preservation Act was introduced, it was distinctly understood that the Press clauses were proposed by way of experiment merely, and were only to last for a twelvemonth. Now they were coolly asked to assent to their continuance, nominally for two years, but really for a very much longer period; for the Ministerial theory appeared to be that as long as the Irish-American papers wrote in a hostile spirit to England it would be necessary to prevent the Irish newspapers from copying their articles. There ought to be a distinct statement on the part of the Government as to when they meant to withdraw their restrictive clauses, and he thought they ought to be contented with existing powers as furnished by the common law, especially as they could administer those provisions as rigorously as they pleased.

The SOLICITOR GENERAL for IRELAND (Mr. Dowse) said, he should be happy if he saw anything in the present condition of Ireland which would justify the Government in omitting the Press clauses from the Bill; but he believed that if the Government had come down to that House and, omitting these clauses, had asked that the Peace Preservation Act should be continued for two years, the first question asked would be—Why omit these clauses? Were the Government able, on their Ministerial responsibility, to assure the House that the condition of affairs in Ireland was such that the "National newspapers," as they were called, might be permitted to write as they wrote prior to the passing of the Peace Preservation Act? If he were asked that question, he could not conscientiously reply that the condition of affairs in Ireland was such as to justify the Government in omitting these clauses from the Bill. The hon. Member for New Ross (Mr. M'Mahon) must have a very curious notion about "gagging the Press," if he applied that term to the conditions under which Irish newspapers were at present published; for he (Mr. Dowse) ventured to say that they enjoyed and exercised a liberty of writing greater than English newspapers would care to avail themselves of. In not one single instance had any notice been served upon an Irish newspaper under the Peace Preservation Act, the reason being that, of their own accord, they had trimmed their sails to meet the wind that was blowing. They sometimes went very close to the wind, but they kept clear of the provisions of the Act. It was not that the British Empire was afraid of these journals; but for the sake of the peace that was beginning to spread over Ireland, and for the sake of the Press itself in that country, it was thought necessary that these powers should for the present continue to be intrusted to the Government. The powers could only be used where sedition or treason was inculcated, and not only had the power never yet been employed, but the Government, in putting the law in force, would naturally render themselves amenable to the judgment of Parliament if they misused the powers conferred upon them.

SIR PATRICK O'BRIEN said, he must object to the insertion, in a Bill intended for the repression of agrarian crime, of powers conferred solely to meet a state of things brought about by the prevalence of treason and sedition.

MR. DENMAN said, he must object now, as he had objected on a previous occasion, to any attempt at gagging the Press, and would have been much better pleased if the Government had omitted these Press clauses from the Bill. He thought it requisite that Government should be made aware of public opinion through the medium of the Press, and for that reason if a division were taken he should vote against the Government proposal.

MR. SYNAN, though strongly deprecating the continuance of these clauses, and more especially, as he contended that the argument urged by the Government on their first introduction had entirely disappeared, observed that it was useless for the few Irishmen who objected to them to attempt to oppose the determination of the Government to insert them in the Bill.

MR. MAGUIRE asserted that some journals published in London contained more dangerous articles than any to be found in the Irish Press. On a previous occasion the noble Lord (the Marquess of Hartington), the Prime Minister, and the President of the Poor Law Board, had urged the necessity of preserving the people of Ireland from the contamination of the Irish-American Press; and he wished to know how that matter was to be dealt with now? Governments had been turned out on questions of less importance than this; but times were changed, and anything seemed to be good enough for Ireland.

THE MARQUESS OF HARTINGTON said, the hon. Member for Cork City (Mr. Maguire) had misunderstood his statement on a former occasion with regard to newspapers from America which had been seized under the Peace Preservation Act. What he said was, that no prosecution of any paper printed and published in Ireland had been necessary, for care had been taken to keep within the limits of the law. If hon. Members read the Irish National Press they would not suppose that it was "gagged;" and Irish-American journals, containing articles not merely of a political character, but inciting to crime, would be circulated in Ireland if these clauses were not in operation. He denied that they had any special reference to Fenianism or sedition, for at the time that Act was passed agrarian crime was rife, and it had not yet altogether disappeared.

MR. M'CARTHY DOWNING was of opinion that the most dignified course for hon. Members who, like himself, disapproved of the Bill to pursue, was to refrain from taking part in the division, and leave the Government to deal with the measure as they pleased.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 11; Noes 55: Majority 44.

Clause *agreed to.*

Amendment *moved*—

(Amendment of section thirty-nine of Peace Preservation (Ireland) Act, 1870.—Moneys presented under section thirty-nine of Peace Preservation Act, 1870, may be raised and levied by yearly or half-yearly instalments.)

Section thirty-nine of the Peace Preservation (Ireland) Act, 1870, shall be construed as if, instead of the words "the barony, half-barony, or other district in which such murder or maiming shall have respectively been perpetrated," the words following had been inserted in the said section, that is to say: "any barony or baronies, half-barony or half-baronies, townland or townlands, or part or parts of any barony or baronies, half-barony or half-baronies, townland or townlands."

Where any presentment shall be made under the authority of the said section thirty-nine of "The Peace Preservation (Ireland) Act, 1870," it shall be lawful to set forth in such presentment that the sum therein mentioned shall be raised and levied within a period to be stated therein by yearly or half-yearly instalments, and the Treasurer of the County, Secretary of the Grand Jury Finance Committee, or the person or persons duly authorised to issue warrants for the collection of moneys to be raised or levied off such county, shall from time to time without further authority or presentment in that behalf applot and include in the amount or amounts authorised to be levied by his or their warrant or warrants by the respective collectors to whom the same shall be delivered, the portion or portions so set forth of the sum so presented, and the same shall be collected and levied from time to time, in like manner and with the like remedy in case of non-payment as all other money directed by such warrant or warrants is by law to be levied.—(*The Marquess of Hartington.*)

COLONEL WILSON PATTEN said, he had no great faith in the compensation clause, and thought it did not tend to repress crime. The evidence given before the Committee showed that it was looked upon in Ireland as a great hardship.

MR. CHICHESTER FORTESCUE said, the right hon. Gentleman (Colonel Wilson Patten) was mistaken. The witnesses were dissatisfied with the charge for extra police, which was first levied under an Act of 1848.

MR. CHARLEY asked, whether this clause would interfere with the 67th clause of the Irish Land Act?

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE) said, he did not think it would; but if there was any difficulty, he undertook that it should be removed upon the Report.

MR. PIM said, he did not think that it was wise to punish a district for crimes committed in it, without knowing that persons in that district were guilty.

MR. CHICHESTER FORTESCUE said, he would remind the Committee that by an Act of the American Congress the President could suspend the Habeas Corpus Act in any part of the States, and put in force a similar law to that in the present Bill in reference to compensation for murder and malicious injury.

Clause *agreed to*, and *added* to the Bill.

Schedule *agreed to.*

Bill *reported*, with Amendments; as amended, to be considered upon *Thursday* next.

SUPPLY—CIVIL SERVICE ESTIMATES.

Order read, for resuming Adjourned Debate on Question [26th May], "That the Resolution which was then reported from the Committee of Supply be now read a second time."

Question again proposed.

Debate *resumed.*

SIR ROBERT PEEL said, he desired to ask the Speaker's opinion on a point of Order. Last night a second Vote on Account of some £843,000 for the Civil Service was taken at a late hour; and that Vote included 150 different items, embraced in seven different classes, which were all voted *en bloc.* He wished, therefore, to know whether it was competent for any hon. Member then to take each of those 150 items and seven classes separately, and to discuss them *seriatim?*

MR. SPEAKER said, that the Vote on Account was one Vote, and the right hon. Member might make any observations he thought fit which bore upon it, and which was relevant to the subject matter.

SIR ROBERT PEEL said, he wished to draw attention to the fact that it was the second sum voted on account of those Estimates for the current financial year, and that it comprised the very large number of distinct items and classes which he had named. It was most objectionable that they should be asked for Votes on Account without an opportunity of discussing the items in the several classes of Estimates. The Civil Service Estimates amounted to £10,725,544, which was an increase of £735,000 upon those of last year, and of that enormous increase some explanation ought to be offered on one of the two occasions when Votes were asked on account. Public expenditure was increasing, and it seemed as if Parliament were ceasing to take an interest in the matter. The Charity Commissioners' account was one which really called for attention. In 1853 three persons were named in the Bill to receive salaries, and Lord John Russell stated that after a time the services of all three would not be required; but now an enormous staff of clerks was employed, and the Commission cost £2,000 a-year more than it did some years ago. Then again, with regard to the diplomatic service, he had understood that the salaries of the military and naval *attachés* were to be included in the Army Estimates. [Mr. BAXTER: Next year.] He should like to know why a Return showed that the salaries of those *attachés* were less than they actually received. For instance, the salary of the military *attaché* at Paris was put down at £500; but he received a large amount from the War Office, and it was well known that, on the whole, he cost £1,400 or £1,500 a-year. He had been told, in reply to a question, that part of the sum came out of the Secret Service Vote; and, surely, it was improper to apply that Vote in augmenting the salary of a diplomatic servant. He should also be glad to know why diplomatic salaries were continued for such places as Darmstadt, Coburg, Dresden, and Wurtemberg, for all those States were now absorbed by Prussia, and it was throwing away public money to continue appointing diplomatic servants to them? He would have gone into other matters but for the late hour of the evening. He was glad, however, to understand that, in future, Government would abstain from asking for further Votes on Account.

MR. GOLDNEY wished to ask, with special reference to the Wellington Monument, whether the Government would undertake not to commence any new works out of the Vote on Account?

MR. M'LAREN said, he must complain of the increase of the educational grants to England and to Ireland as compared with Scotland, while Scotland paid more in national taxation than did Ireland; so that Scotland was rated for the benefit of England and Ireland; and he complained of the neglect of legislation for Scotland.

MR. BAXTER said, the increase of the English Education Vote was due to the passing of the Act; and there would be a corresponding increase for Scotland when Parliament had time to deal with Scotch education, which it had not been able to find yet. [Mr. M'LAREN: That is what I complain of.] He (Mr. Baxter) regretted that himself as much as any Scotch Member could. As he had already stated in reply to the hon. Member for Sunderland, no new works would be commenced out of money voted on account, until Parliament had had an opportunity of expressing an opinion on the proposals of the Government. The answer he had given on a former occasion to the right hon. Baronet the Member for Tamworth (Sir Robert Peel) with respect to the salaries of military and naval *attachés* would affect the Estimates of next year. It was rather inconvenient to raise discussions upon points of detail connected with the Civil Service Estimates when Votes were taken on account, for the reason that the Government, in the early part of the Session, were pressed by the House not only to bring in Bills, but to have them read a second time, when it would have been to the interest of the Government to proceed with the Army, Navy, and Civil Service Estimates at the commencement of the Session; but the House prevented that from being done.

MR. BRUCE said, the work of the Charity Commissioners had very largely increased, and in his opinion they had rendered very great public service. He should be very sorry to do anything to discourage the work of the Charity Commissioners; but, at the same time, he admitted that it was a question for the consideration of Parliament whether they should not be remunerated from the trusts funds. There was no foundation for the assertion that the Bill which had been introduced with reference to those Commissioners would largely increase their salaries.

Question put, and *agreed to.*

Resolution *agreed to.*

METROPOLIS WATER BILL.—[BILL 40.]

(*Mr. Shaw Lefevre, Mr. Secretary Bruce.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [25th May], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Craufurd.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. BRUCE said, that in consequence of the objections of many hon. Members to the Metropolis Water Bill, and of the suggestion of the hon. Member for Ayr, the Government proposed to withdraw the Bill, and ask leave to introduce a new Bill on the subject.

MR. CRAUFURD expressed his satisfaction at the course taken by the Government.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

METROPOLIS WATER (NO. 2) BILL.

On Motion of Mr. Secretary BRUCE, Bill to amend "The Metropolis Water Act, 1852," and to make further provision for the due supply of Water to the Metropolis, and certain places in the neighbourhood thereof, *ordered* to be brought in by Mr. Secretary BRUCE and Mr. WINTERBOTHAM.

Bill *presented,* and read the first time. [Bill 166.]

SEQUESTRATION OF BENEFICES BILL.

Ordered, That the Sequestration of Benefices Bill be referred to the Select Committee on the Benefices Resignation Bill.—(*Mr. Russell Gurney.*)

LOCAL GOVERNMENT (IRELAND) BILL.

On Motion of The Marquess of HARTINGTON, Bill to amend the Law relating to the Local Government of Towns and populous Places in Ireland, *ordered* to be brought in by The Marquess of HARTINGTON and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 165.]

House adjourned at a quarter before One o'clock, till Thursday next.

* * *

HOUSE OF COMMONS,

Thursday, 1*st June*, 1871.

MINUTES.]—SUPPLY—*considered in Committee* CIVIL SERVICE ESTIMATES.

PUBLIC BILLS — *Ordered* — Oyster and Mussel Fisheries Supplemental (No. 2)*.

Ordered—First Reading—Drainage and Improvement of Lands (Ireland) Supplemental * [173].

First Reading — Judgments (Ireland) * [167]; Bankruptcy Disqualification * [168]; Promissory Oaths * [169]; Leeward Islands * [170].

Second Reading—Referred to Select Committee—Metropolis Water (No. 2) * [166].

Select Committee—Lodgers' Goods Protection * [54], *nominated.*

Committee — *Report* — Norwich Voters Disfranchisement * [155]; Debtors (Ireland) * [108-171]; Bankruptcy (Ireland) Amendment * [109-172]; Poor Law (Provisional Orders Confirmation) * [148].

Considered as amended—Gas Works Clauses Act (1847) Amendment (No. 2) * [150].

Withdrawn—Adulteration of Food, Drugs, &c. * [41].

NATIONAL DEFENCES—ARMAMENT OF THE FORTS.—QUESTIONS.

SIR JOHN HAY asked the Surveyor General of the Ordnance, If he will state the estimated cost of the 1,425 guns required (as per Return 177) to be made to complete the armament of the Forts; the cost of these guns with their carriages and stores, and the time when they will be completed?

SIR HENRY STORKS: Sir, in reply to the Question of my hon. and gallant Friend, I have to state that it is a mistake to suppose that the guns referred to in the Return require to be made, the larger part of them being already made. About 354 heavy muzzle-loading rifle guns, with carriages properly supplied with ammunition, will require to be manufactured, the estimated cost of which is £573,718, which amount will be spread over the three years succeeding the 1st of April, 1872.

PARAGUAY—DR. WILLIAM STEWART.
QUESTION.

MR. M'ARTHUR asked the Under Secretary of State for Foreign Affairs, Whether it is true that within the last few days Dr. William Stewart, who was concerned as a principal in the recent Paraguayan trial at Edinburgh, has sent his credentials to the Foreign Office as Minister for Paraguay; and, whether, under the circumstances, Her Majesty's Government is prepared to recognize him in that capacity?

VISCOUNT ENFIELD: Sir, a short time since Dr. Stewart presented a letter to the Foreign Office, conferring upon him in somewhat vague terms a diplomatic character as confidential agent of the Republic of Paraguay. He was informed that, being a British subject, he could not be received in any diplomatic character whatever; but if he were named Consul for Paraguay he would be recognized as such, and communicated with accordingly.

ARMY REGULATION BILL—COMMISSIONS.—QUESTIONS.

MAJOR ARBUTHNOT asked the Secretary of State for War, Whether it is intended to give Commissions in the Regular Army to all Officers who may have served two years in the Militia, and may apply for them, irrespective of age and date of entry into the Militia; if not, what is to be the limit of age at which such Officers will be eligible for first Commissions in the Regular Army; and, whether Officers so transferred will be subjected to an examination; and, if so, what will be the character of that examination?

MR. CARDWELL: What I stated, Sir, was that a certain number of subalterns of Militia who had served for two years in the Militia regiments and had received favourable testimonials would be granted commissions in the Line. It was not contemplated that all officers who might have served two years in the Militia would receive them, but that the prospect would be an inducement to efficient service, and they would be subjected to an examination sufficiently strict to test their qualifications. As regards age, there is a distinction now in favour of those officers who come direct from a University, and a similar exception will be made for those who join from the Militia.

Colonel WILSON PATTEN asked by whom the examinations would be made?

Mr. CARDWELL replied by officers of the Army.

Major ARBUTHNOT asked, whether it would be a military examination, or simply such an examination as would show the candidates had received a liberal education?

Mr. CARDWELL: I conclude they will have received a liberal education or they will not be recommended.

PARLIAMENT—PUBLIC BUSINESS.

QUESTION. OBSERVATIONS.

Mr. BECKETT DENISON asked, what Business would be taken to-morrow?

Mr. BRUCE replied that the Civil Service Estimates would be taken at a Morning Sitting.

Mr. SPENCER WALPOLE believed the proposal to take the Civil Service Estimates at a Morning Sitting would be received with great disfavour. He had never heard of such a proposal at this period of the Session, and thought it especially objectionable in this instance, because many of those who had Motions on going into Committee of Supply would be deprived of the opportunity of making them through shortness of notice.

Mr. BRUCE said, the arrangement was in accordance with the statement made by the Prime Minister before the holidays.

ARMY—LIMERICK MILITIA.

QUESTION.

Mr. STACPOOLE asked the Chief Secretary for Ireland, Why a junior Captain in the Royal County of Limerick Regiment of Militia was promoted to the rank of Lieutenant Colonel over the heads of the two Majors, one of whom had served in a regiment of the Line?

The Marquess of HARTINGTON replied that Lord Limerick, who was promoted over the heads of several other officers, had served in the Rifle Brigade; and the Lord Lieutenant of the County, in recommending the promotion, stated that, in his opinion, Lord Limerick's position in the county rendered his position of greater service to the regiment than the promotion of any other officer. The Government were not aware of any other cause for the promotion which had taken place.

IRELAND—ADVANCES TO IRISH TENANTS.—QUESTION.

Mr. STAPLETON asked the Chief Secretary for Ireland, Whether any, and, if any, what sums have been advanced from the Exchequer to Irish tenants to enable them to purchase their farms under the purchase Clause of the Land Improvement Act of last Session?

The Marquess of HARTINGTON replied that up to the end of last year £18,000 was advanced from the Exchequer to Irish tenants to enable them to purchase farms under the Land Improvement Act of last Session. This year over £6,000 had been advanced for the same purpose, making a total of about £25,000.

IRELAND—CENSUS IN ARMAGH.

QUESTION.

Mr. VANCE, for Sir William Verner, asked the Chief Secretary for Ireland, Whether a case has been reported to him where a policeman employed in collecting the Census Papers at Newtown Hamilton, in County Armagh, is accused of having destroyed the forms filled by several families, in which "Church of Ireland" was written in the column headed "Religious Profession;" and, whether in so doing the man acted under instructions; if so, from whom they emanated; and, in case he is proved to have acted on his own responsibility, what steps he proposes to take in the matter?

The Marquess of HARTINGTON said, in reply, that a charge of the kind had been made by the Rector of Newtown Hamilton, county Armagh; but on examination of the only special instance named it was found that the constable had entered the religious denomination of the person, but, owing to some irregularity, the form was destroyed, and another, properly filled up, was substituted. It was found, on investigation, that there was no foundation whatever for the charge of destroying forms.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

METROPOLIS—HYDE PARK—HAMILTON GARDENS.—RESOLUTION.

MR. C. B. DENISON, in rising to call the attention of the House to the alienation of Crown Lands in the case of Hamilton Gardens, and other instances, and to move a Resolution, said, that £100,000 was this year asked for to maintain public parks in the Metropolis and its neighbourhood, and he took advantage of the occasion to comment upon a subject which he had long desired to bring before the House. He was aware that private feelings and private prejudices would naturally be enlisted against the Motion. He begged to assure hon. Members that he would not use a single argument which should leave them ground for complaint. He alluded to the continued inclosure and appropriation to private uses of that portion of Hyde Park which went by the name of Hamilton Gardens. Owing to the operations of the Metropolitan Board of Works a new thoroughfare was being opened between Piccadilly and Park Lane, which had necessitated the excision of a portion of those same Gardens, and he would wish to say that he did not take up the subject in any rash or party spirit, for in each of the recent Sessions of Parliament since 1868 he had called attention to the work in hand. It had been argued that these Gardens were hardly of sufficient importance to make it desirable that Parliament should interfere in order to bring about a change. He took a different view of the subject. These Gardens were first inclosed in 1826, in order to do away with what in those days was a considerable nuisance to the neighbouring proprietors, and, as he believed, to carry out the private behests of some of the adjoining householders. He had not a single word to say against the original inclosure, because the police regulations were then very inefficient, and a nuisance was caused by the resort of persons to that corner of the Park; but he contended that those Gardens were now of inestimable value to the public. A whole city, or rather an aggregation of cities, had grown up since 1826 to the north, the west, and the south of Hyde Park; and although the area of Hamilton Gardens—namely, close upon three acres—bore but a small proportion to the whole acreage of the Park, still it was sufficiently important to demand public attention. If attention were not now called to it those in the enjoyment of the Gardens might fairly urge that they had by the negligence of the public authorities, or by the will and consent of the Crown, acquired a vested interest in those Gardens. He thought he was able to show that there was no real solid ground for refusing to throw open the Gardens, which was not founded on private feeling and private prejudices. The Gardens at the present moment were appropriated to two classes of people. First, there were the neighbouring proprietors of the houses in Piccadilly and Hamilton Gardens, and possibly in Park Lane; and secondly, there was a select body of subscribers who, on the payment of £3 annually, had the privilege of entry. He did not know what the number of subscribers might be nor what sum of money might be obtained from that source, nor did he know the authority who exercised the discretion of admission or refusal. The duty of refusal was one that must be very invidious for any official to exercise. He did not know whether the First Commissioner of Works was ever called upon to exercise that discretion, or whether he delegated the power to his secretary; but whoever it might be, he had at times a very disagreeable duty to perform, because though the admission was sufficiently high to prevent ordinary people from seeking admission, there must be thousands, perhaps tens of thousands, who would readily pay that, or even larger sums, for the privilege of entering the Gardens. It was well known that from the point of Hyde Park, where the private gardens of Apsley House ended up to Stanhope Gate, a distance of 300 yards, there was nothing but a dusty walk, bounded by an unsightly iron railing, instead of what was found a little further on—a very agreeable and much-appreciated fringe of flower gardens and grass plots, interspersed with seats, all the way from Stanhope Gate to the Marble Arch. If these gardens did not exist there would be a continuation of these quiet seats, with a pretty and agreeable prospect around. He had heard it said that it would be a pity, in an æsthetic point of view, to do away with these Gardens, for that if so the spot would fall into disorder, and become what it was in former days, a nuisance. He was wholly unable to acquiesce in such reasoning. The whole edge of the Park, wherever a flower was planted, showed very well that there was nothing to fear from the public at large. The public appreciated the Park as much as a gentleman who had a private garden. It had also been argued that for family and private reasons it would be a pity to do away with the Gardens, as it would deprive children and quiet people of a retreat, and drive them to a more frequented portion of the Park. But he would very respectfully ask those who took up this line of argument—were there not thousands and tens of thousands of families in that Metropolis who had no such portion of garden ground for their junior members? The inhabitants of Piccadilly, Carlton Terrace, or Grosvenor Place, had they any private portion of a park railled off for their exclusive benefit? Had even Mr. Speaker, who worthily inhabited that Palace of the Nation, any private ground of which he could boast that he held for his peculiar benefit? Not a bit of it. The inhabitants of the locality in question had the good fortune of having a slip of private ground of their own, and he did not interfere with that. He aimed at the piece of ground between this Garden and the Park, which he held belonged to the public as much as any other portion of the Park. There was one other argument, which he approached with much delicacy, the argument of high prerogative. Some hon. Members contended that the public Parks were the private property of the Sovereign of the day, and that the Sovereign had the unlimited power and discretion to do as he or she would with every acre of ground within these Parks. He would not raise that question on this occasion; but he thought he might say this—that whether the power constitutionally existed or not, the Minister of the day would be very short-sighted indeed who advised the Sovereign to exercise the Royal prerogative in opposition to the undoubted good of the public in such a matter. It would depend very much, indeed, on the answer that he might get to his question from the right hon. Gentleman the First Commissioner of Works, or other hon. Members, whether it would be necessary for him to use any further arguments. He thought that no one could contend on public grounds that the appropriation of a portion of the Park to private uses ought to continue. What was good for a portion must be good for the whole. A portion of the Gardens had been taken away to form a new thoroughfare, which they hoped to see open in a few weeks. If there was any ground for compensation on account of interference with vested interests, the question would have arisen when that ground was first appropriated, The Gardens themselves were of inestimable value in a public point of view, and no consideration for the interests of individuals ought to be allowed to intervene between the rights of the public by the removal of the inclosure. He would reserve anything further till after he had heard the reply which the right hon. Gentleman, or anyone else might give. There were few men in the House who had spoken so boldly in the interests of the public as the right hon. Gentleman the First Commissioner of Works; and he trusted that his reply that day would partake of the character of his ancient addresses. The hon. Gentleman concluded by moving his Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the opening out of a new thoroughfare through Hamilton Place northwards into Park Lane affords a convenient opportunity for reviewing the circumstances under which an integral portion of Hyde Park, known as Hamilton Gardens, became diverted from public to private uses, under the reign of a former Sovereign, an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct the Commissioners of Woods and Forests to restore Hamilton Gardens to the Park, and to the unrestricted enjoyment of all classes of Her Subjects,"—(*Mr. Denison,*)

—instead thereof.

MR. AYRTON said, he hoped that the very few observations he desired to address to the House upon this subject would satisfy the hon. Member that there was no very pressing necessity for his pursuing this subject further. He was not aware that there had been any expression of opinion on the part of the inhabitants of the Metropolis to the effect that great inconvenience or annoyance resulted from the state of things which the hon. Member wished to disturb. The existing state of things existed many years ago, before the office of First Commissioner was established, and therefore before Hyde Park was placed under his qualified administration. This small inclosure was made on the ground of the public convenience, because it had been found that this angle of the Park was a place of resort for undesirable persons; and the then Sovereign, who took a more active part in such matters than was usually taken by the present Sovereign, after a careful consideration of the subject in conjunction with the head of the Department of Woods and Forests, came to the conclusion that he ought to sanction the inclôsure of this portion of the Park. Having been thus inclosed, it was laid out as an ornamental garden; and in order that it might be turned to some account every gentleman residing in the neighbourhood was allowed to resort to them on paying a certain sum of money annually for a key, the money so collected being devoted to paying the expense of keeping up the inclosure. This went on for nearly half a century, the wives and families of the occupants walked there, and it did not seem to have been the slightest annoyance to any human being, or in the slightest degree inconvenient to anyone who resorted to the Park. No difficulty had occurred to him with regard to these Gardens since he had held his present office. There was no difficulty in anyone obtaining a key, and no complaint had ever been brought under his notice. The present Gardens formed an elegant screen between the Park and the houses. His hon. Friend supposed that if the Gardens were open the people would sit on benches there; but there were benches close by on which the people might now sit and look at the foliage in the inclosure. If the railings were removed, however, it would be quite impossible to preserve the present thick foliage and high vegetation of the inclosure:—it would have to be treated as the rest of the Park along Park Lane was—namely, all the shrubs would have to be taken up, and it would have to be laid down with flowers, so that the police at night might, as they went along, see from one side to the other. It had been suggested that every portion of Hyde Park should be open to the whole public. But such was not the case near Regent's Park, and there was therefore no novelty in the arrangement now complained of. Unless the House thought that the arrangement was inconvenient to the nation, and that destroying it would promote the public advantage, he thought there was no necessity for making the change suggested by the hon. Member.

Mr. BARNETT said, he intended to vote against the Motion should it be pressed to a division. Having had the privilege of a key to the Gardens in question, and having paid £3 3*s.* a-year towards their support for the last 20 years, he thought that he had a vested interest in this portion of the Park, which should not be ignored unless the interests of the public urgently demanded that it should be set aside. He saw no reason for making any change; but if it should be considered necessary to set the grant aside, it was in the power of the Crown to do so.

Mr. LOCKE said, it appeared from the answer of the Chief Commissioner of Works that this ground had been inclosed for the use of persons who paid £3 3*s.* a-year to enter it, but that that arrangement might at once be terminated if the Crown chose to exercise its right. Then came the simple question whether or not the Government had acted rightly in appropriating to the use of a certain number of individuals a portion of Hyde Park, which had always been regarded as having been inclosed for the benefit of the public at large. He thought the reasons given by his right hon. Friend for that appropriation were no reasons at all. Was the House to understand that wherever a portion of Hyde Park formed a corner, that corner might be immediately inclosed and given over to the use of some private persons instead of the public? His right hon. Friend said there was a nuisance in the piece of ground before it was inclosed; but he did not state what that nuisance was. If the ground had been laid out in a similar manner to that which led up to the Marble Arch no one would have said that it ought to have been inclosed, and handed over to private individuals. If any compensation was due to them let it be given. The amount was a mere matter of calculation. He would vote for the Motion of the hon. Gentleman if it were pressed to a division.

MR. A. GUEST said, this ground would have to be laid out afresh if it were again made part of Hyde Park, and that would involve expenditure the amount of which was not known. He did not think it was convenient on the present occasion to enter into that question. He should therefore vote against the Motion of the hon. Member.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 99; Noes 52: Majority 47.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee)

(1.) £34,054, to complete the sum for the Offices of the House of Lords.

MR. RYLANDS said, that last year the House of Lords made use of a sum of £692 taken out of the money voted for Miscellaneous Expenses in order to pay the law costs incurred by the claim of the infant son of Mrs. Ellen Howard to the earldom of Wicklow. It was true this payment had been made with the sanction of the Treasury; but it ought to be explained to the Committee how it was that public money voted for the service of the House of Lords should have been appropriated to the purpose which he had mentioned.

MR. BAXTER said, that formerly their Lordships claimed the right to expend this money as they thought fit; but last year it was distinctly explained to the Committee that the expenditure under this head was to be subject to the superintendence of the Treasury. He would look into the matter to which his hon. Friend had called attention, and explain how it had happened on the Report.

MR. RYLANDS said, the payment to which he had referred had been made out of the money voted in 1869-70, and therefore the question would not arise on the Report. His object in bringing the matter to the notice of his hon. Friend was that nothing similar might be done for the future.

Vote *agreed to*.

(2.) Motion made, and Question proposed,

> "That a sum, not exceeding £38,082, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Offices of the House of Commons."

MR. BOWRING observed that he had called attention last year to the frequent discrepancies in the numbers returned on divisions by the Tellers and the Division Clerks. He was glad to say that he noticed fewer of such discrepancies this year. The Clerks were mostly gentlemen of experience, and performed their duties with great accuracy; and the fact that a few nights ago the Tellers had to come to the Table and explain a mistake of no less that 10 in the number which they had made, showed that it was not always the Clerks who were in error. He had also complaint to make of the rule of the House which prohibited the messengers from bringing messages and letters to Members—a thing which was allowed in the other House. This prohibition was very inconvenient, as it often led to their constituents being kept waiting for hours. As to the item of the Vote which referred to the salary of the Chairman of Committees, he held that, considering the arduous nature of the duties that hon. Gentleman had to perform, £1,500 a-year was very inadequate remuneration—especially when compared with the salary of £2,500 paid to the corresponding officer in the House of Lords. If it had not been against the rules of the House to propose the increase of a Vote, he should be very much inclined to do so in this instance.

MR. MACFIE said, he wished to direct the attention of the Committee to the want of accommodation for clerks and other persons who might come to see hon. Members on matters of business. Additional accommodation was more than ever necessary during the present Session on account of the Morning Sittings. In all the public institutions of Edinburgh there were waiting-rooms where a director could go and read or sign a letter brought to him by his clerk. There was room enough in that House, notwithstanding what had been said the other night by the First Commissioner of Works in banter about Westminster Hall. All that would be required, if a waiting-room was set apart for the purpose to which he referred, would be two or three desks and two or three chairs.

Mr. MELLOR said, there were a number of persons employed in connection with the ventilation of the House, and in addition to that staff there was an "Attendant on Ventilation," who received £105 a-year. He did not see why the services of such an officer should be required, and he begged to move that the Vote be reduced by the amount of his salary.

Motion made, and Question proposed, "That the Item of £105, for the Attendant on Ventilation, be omitted from the proposed Vote."—(*Mr. Mellor.*)

Mr. RYLANDS said, it was not worth while to divide the Committee on the point, but he thought there was a great deal of expenditure in connection with the Houses of Parliament which could be avoided.

Mr. BOUVERIE said, that the comfort of Members while in the House very much depended on the way in which the ventilation was managed, and that almost any other officers could be better dispensed with than those who attended to that department. The attendant in question was the man who watched the thermometer and took care that a sufficient supply of air was provided.

Mr. MELLOR said, he was very much disposed to move the rejection of the whole item, because he did not think the ventilation of the House was so well attended to as the right hon. Gentleman seemed to imagine.

Mr. AYRTON said, he hoped the Motion would not be pressed. The expense of the general arrangements for ventilation was not included in the Vote. The attendant to whose salary the Amendment related was merely an officer under the Serjeant-at Arms to assist in looking after the ventilation. If the item were struck out of the present Vote, it would have to be inserted in another, and no real economy would be gained; while, on the other hand, it would be very inconvenient to make any change in the existing arrangements. As to the observations which had been made with reference to the convenience of messengers being allowed to run about the House to deliver cards and letters to Members, he would only say that the matter was one which had been under consideration, and that there was a great conflict of opinion between hon. Gentlemen with respect to it. It was felt by some that if the public generally were aware that any cards and letters which they might desire to send in to Members would be delivered immediately, the practice might be resorted to to such an extent as to be not a little inconvenient. The suggestion, therefore, was one which it would not be well to adopt hastily.

Mr. DILLWYN said, that many persons who came up to town from the country complained that they were unable to see their representatives; and that, although the arrangement of allowing cards and letters to be sent into the House might not be very convenient for metropolitan Members, it would be found to operate satisfactorily generally. He hoped, he might add, the Amendment would not be pressed, for that House was the best ventilated public building of which he had any knowledge.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(3.) £41,464, to complete the sum for the Treasury.

Mr. MONK asked, whether the Parliamentary Bills drawn in this Department were drawn by Parliamentary counsel attached to it or by other counsel. He knew that in one case some bills had been drawn by Messrs Freshfield and Co., which he thought ought to have been drawn by the Parliamentary counsel to the Treasury.

Mr. BAXTER said, the case referred to had already been satisfactorily explained. Messrs. Freshfield and Co. were employed in drawing up some bills relating to the Bank, and it was for the convenience of the public, the Treasury, and the Bank that that the arrangement with them was made.

Mr. BOWRING called attention to the item of £1,500 for Writers at the Treasury, which for the first time appeared in the Estimates, and said, that there was a corresponding decrease in the item for permanent clerks. He wished to know whether the plan of substituting writers at low salaries, and without superannuation, for permanent clerks was intended to be carried out in the Civil Service generally.

MR. BAXTER said, it was the fixed determination of the Government to carry out that plan as speedily as possible, with due consideration for those now employed.

Vote *agreed to.*

(4.) £66,930, to complete the sum for the Home Department.

(5.) £49,174, to complete the sum for the Foreign Office.

SIR ROBERT PEEL said, he desired to take the opportunity of saying a few words in reference to the Foreign Office Messengers, who had lately been worked in a manner which everybody must admit was very unusual. He had seen them working in France in such a way as to entitle them to some extra gratuity. In one case a Foreign Office Messenger, sent from Paris to Metz in charge of letters, was in imminent danger of his life—indeed his life was threatened, but he behaved in a most courageous manner. His case had, he believed, been brought under the notice of his noble Friend the Secretary for Foreign Affairs. He did not know whether the Government had considered the question of granting some gratuity to that Messenger, and to others; but he hoped their case would be borne in mind, and that they would be rewarded for their admirable services during the last four months of the last year. There was a fund out of which they could be rewarded, because, only the other night, the Secretary to the Treasury told the House there was an officer in the Foreign Office who, without the sanction of Parliament, received an addition of £500 from the Secret Service Fund to his regular salary of £1,000. An hon. Member (Mr. Bowring) had truly said the Chairman of Committees had a small salary for the services he gave to the House, and he would ask whether the services of General Claremont, who, to use a common expression, "levanted" from his post as soon as the condition of things round Paris became precarious, could at all be compared with those rendered by the Chairman of Committees? The Secret Service Fund was never intended to augment the salaries of officers, and he protested against its being applied for that purpose. He again expressed a hope that those Foreign Office Messengers who had discharged their duties in a manner which reflected the highest credit on them would receive some reward.

MR. RYLANDS objected to giving any additional sum to the Foreign Office Messengers. They received £400 a-year each, with £1 a-day for expenses while travelling; and Her Majesty's Home Service Messengers only received as salary about half the amount. From the Report of the Controller and Auditor General on the Foreign Office expenditure last year, it appeared that these Messengers received sums which were largely in excess of their ordinary allowance for travelling expenses. The right hon. Baronet (Sir Robert Peel) claimed credit for the Foreign Office Messengers, because some two or three of them made journeys last year under circumstances of extraordinary difficulty; but he must say that a large number of the journeys made last year were made under most comfortable and luxurious circumstances, without any danger or difficulties, and the Messengers, in fact, had all the enjoyment of foreign travel at Her Majesty's expense. He hoped that the heads of the Foreign Office would consider whether the number of these Messengers might not be considerably reduced, and their salaries put on something like the same basis as those of the Home Office Messengers.

MR. A. GUEST said, that the Foreign Office Messengers were by no means overpaid; and, notwithstanding what the hon. Gentleman (Mr. Rylands) had stated, their journeys were anything but comfortable, for they had to travel day and night. The Home Service Messengers, who received £250 a year each, were a very different class of men from those who travelled abroad, and it was essential that important dispatches should be transmitted through the hands of men of education and ability. He did not think that the number of Foreign Office Messengers could be advantageously reduced, for it would be ruinous economy to wear out this deserving class of public servants.

MR. D. DALRYMPLE observed, that on a former occasion it had been proposed to reduce the salaries of the Foreign Office Messengers, and he thought that the events of the last few months completely vindicated the conduct of those hon. Members who resisted that proposal. The Foreign Office Messengers had to perform their work under circumstances of danger and great pressure, and he thought that the Foreign Office ought to have the power of supplementing their salaries on any great occasion—such as that where the lives and safety of the Hungarian refugees depended on the exertions of Colonel Townley, who, crossing the Balkans to deliver his despatches, was seven days and seven nights on horseback, and in that effort laid the foundation of an illness from which he never recovered. These Messengers sometimes also carried oral communications. It was of the highest importance to select for the class of Foreign Office Messengers the very best men for the service.

Mr. GOLDSMID agreed with the right hon. Member for Tamworth (Sir Robert Peel). The Home Service Messengers only required a knowledge of English, while the Foreign Service Messengers required a knowledge of other languages. Moreover, they had much longer and more continuous journeys. He had himself met at Constantinople a Foreign Office Messenger, who, within two months, had been to Berlin, to Constantinople, to Athens, and to Florence. The work of these Messengers often necessitated great tact and knowledge of men, and required a superior class of men, accustomed to deal with a variety of persons, and able to meet any emergencies that might arise. They had to run many risks to which the Home Service Messengers were not exposed. Consequently he thought that the House would not be acting with economy by reducing their salaries, which would lead to the substitution of inferior men. If the hon. Member for Warrington (Mr. Rylands) undertook the duties of such an appointment he would not find the work as light as he imagined, nor would he desire to retain the post long at the salary he proposed. For these reasons it was to be hoped that the House would not reduce the pay of this deserving body of public servants.

Mr. SCLATER-BOOTH said, he thought the House would be indisposed to regard the pay of the Foreign Office Messengers as too large; but it might be considered whether their number was not greater than was sufficient for the service of the country. This most probably was the case before the breaking out of the late war, during the continuance of which they were fully employed. It did not conduce to the reputation of the House that pressure should be put upon the Government to grant larger sums than appeared in the Estimates, and if the Government thought gratuities ought to be given it was for them to make the proposition. He hoped that the question of the right hon. Baronet (Sir Robert Peel) as to the salary of the Military *Attaché* at Paris would receive an explicit answer, for if it was true that his salary had been habitually supplemented by a grant of £500 per annum from Secret Service money, it was monstrous to allow information as to the application of that fund to ooze out. If the statement were admitted, he (Mr. Sclater-Booth) should feel it to be his duty when the Secret Service Vote came on to move its reduction by £500.

Viscount ENFIELD said, he had heard with great satisfaction the remarks that had been made with regard to the manner in which the Foreign Office Messengers had performed their duty, for he also could bear testimony not only to their zeal and assiduity, but also to the great risk which they ran. It was not his province to enter now into the question of extra remuneration which had been suggested by the right hon. Baronet (Sir Robert Peel), he being quite sure that if any means could be found for expressing to them the satisfaction which was felt at the Foreign Office, his noble Friend at the head of that Department would be the first to give them such a mark of his approbation. He (Viscount Enfield) desired to remind the hon. Member for Warrington (Mr. Rylands) that the number of these gentlemen had been reduced for 1869-70 to 17; for 1870-1 to 15; and 1871-2 to 13, and that it was intended to have a fixed establishment of 12. With regard to the Vote for the Military *Attaché* at Paris, he could only repeat the statement he made earlier in the year — namely, that his salary was £500 per annum, charged in the Diplomatic Estimates, his half-pay which appeared on the Army Estimates, and other expenses which were defrayed out of funds in the hands and at the disposal of the Secretary of State for Foreign Affairs. He could not specify what the latter sum was, and he hoped the right hon. Baronet would not require him to state it, because if he were asked to do so he must respectfully but firmly decline to give the information.

Mr. RYLANDS said, the excessive expenditure over the ordinary allowance for travelling expenses had not been alluded to, and, in reply to the remarks of the hon. Member for Rochester (Mr. Goldsmid), he was quite at a loss to know why they should employ so aristocratic a class and not get men at the same rates as were paid by foreign countries.

Mr. GOLDSMID said, that the whole scheme of payment of men in all classes of life in other countries was entirely different. For example, the hon. Member would find that for a clerk he would have to pay less than in England. He asked for an explanation regarding the £455 for miscellaneous services.

Viscount ENFIELD said, the foreign Messengers sent in a most accurate account of this expenditure, which was most carefully audited. He was afraid he could not give any particulars regarding the £455.

Vote *agreed to.*

(6.) £23,749, to complete the sum for the Colonial Office.

(7.) £42,385, to complete the sum for the Privy Council Office.

Sir CHARLES ADDERLEY asked for an explanation with regard to that new Department in the Privy Council which has lately been set up merely to carry out the provisions of the Contagious Diseases (Animals) Act. The medical chief, who had been as it were pensioned off by the creation of this Department after his employment during the cattle plague had ceased, the secretary, and the number of clerks was a staff disproportionately large, and last year the right hon. Gentleman failed to convince the Committee of the necessity of having a staff with enormous salaries for such a purpose, and he now asked the right hon. Gentleman to explain the necessity of retaining this anomalous innovation in the Privy Council.

Mr. W. E. FORSTER said, he thought it hardly correct to say that he failed to convince the Committee as to the necessity for maintaining a permanent head of that branch, the object of which was to carry out an Act passed after very considerable discussion, and it would be vain to suppose that that could be done without a large staff. He was in the unfortunate position of having to give nearly as much time to this branch as he devoted to the Education Department, though of that he made no complaint. The office, however, was a responsible one, its object being to exercise a supervision over the importation of foreign animals, and to do what could be done towards checking the spread of disease at home. The clerks were very hard worked, and it would be impossible for him or anyone else to take charge of the Department without a responsible secretary.

Vote *agreed to.*

(8.) £73,390, to complete the sum for the Board of Trade Office.

Mr. EYKYN suggested that the registration of joint stock companies should be put upon a business-like footing. At present you could get no trustworthy information there—the Act was not enforced in any way; and the office was of no use whatever.

Mr. BOWRING asked whether any steps had been taken to make the library of the Board of Trade available to the public, in accordance with the assurance lately given to him by the President of the Board of Trade?

The CHANCELLOR of the EXCHEQUER said, that the subject was about to be submitted to the consideration of an official Committee, and he hoped that they would soon arrive at some conclusion.

Mr. RYLANDS said, that in one case a salary was increased in the Department and charged to incidental expenses. He thought when salaries were increased the fact should be made known to the House of Commons, and he regretted that the Board of Trade did not concur with the Committee of Public Accounts in this respect.

Mr. CHICHESTER FORTESCUE said, no complaints had reached him with regard to the registration of public companies; and with regard to the increase of salary included in the incidental expenses, he thought it must have been for an exceptional and temporary duty, and must have been in the nature of a gratuity.

Vote *agreed to.*

(9.) Motion made, and Question proposed,

"That a sum, not exceeding £2,089, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Office of the Lord Privy Seal."

Mr. DILLWYN said, the present Government had made many reductions which created dissatisfaction throughout the country, because the people thought they struck at small matters rather than at large. He (Mr. Dillwyn) thought the present was a case in point. In his opinion the office of Lord Privy Seal was of no use whatever, and he had hoped to see the Vote altogether omitted. He had never heard any satisfactory reason assigned for continuing the office; but, without repeating former arguments, he would now move the omission of the Vote.

The CHANCELLOR of the EXCHEQUER said, this subject was fully discussed last year, and since then the office of the Lord Privy Seal, so far from being useless, had been proved of the most signal service to the public. It was impossible for gentlemen already fully worked to attempt new duties. It was an immense advantage, therefore, for a Member of the Cabinet who had not a heavy Department on his hands to be able to undertake, if necessary, the duties of another office, and he was satisfied that no retrenchment more disadvantageous to the public could be made than the discontinuance of this office, so long as a competent person was appointed to it, and it was not made a job of. During a portion of the last and the present year the Government were so unfortunate as to lose the services of the First Lord of the Admiralty; but they had in Lord Halifax a gentleman who had presided for many years at the Admiralty, who was thoroughly conversant with the business, and was able to keep things going perfectly well during the absence of his right hon. Friend (Mr. Childers), and until the office was filled up. Again, during this Session Earl de Grey undertook the onerous duty of going to America to negotiate a treaty on the subject of the *Alabama* and the Fishery Questions; and the Government had the advantage of the able assistance of Lord Halifax in discharging the duties of President of the Council. How these duties would otherwise have been performed he did not know. Owing to the increase of their business, and the non-increase of their numbers, Ministers had as much on their hands as they could get through. The public service would suffer materially if the office were abolished, and he hoped, therefore, the hon. Gentleman would withdraw his Motion.

Mr. GOLDSMID said, his constituents, who felt a great interest in this question, desired to know why a Government, which was supposed to be economical, had begun by making reductions at the bottom instead of at the top of Departments. If they had begun at the top they certainly might have struck off a number of useless officers. But they were told that the Lord Privy Seal was bandied about from one office to another to perform the work of any Minister who might happen to be absent on account of illness. He did not think that was a satisfactory mode of having the work of any Department of the State executed. If there was any Department not properly officered, suitable men should be appointed, and the House of Commons would make no difficulty in voting the requisite salary; but the office of the Lord Privy Seal only reminded one of the old story of Jack who was doing nothing and the fellow-servant who was assisting him. Besides the Lord Privy Seal, who had a salary of £2,000 a-year, there was the chief clerk, formerly at a salary of £400, now reduced to £250, a private secretary to the Lord Privy Seal at £150, an assistant clerk at £150, and a messenger, who, of course, could have no messages to carry, at £89. There was also a charge of £100 for incidental expenses. All these amounts might very well be struck off, and he thought the office of Lord Privy Seal might also be abolished. He should certainly vote with his hon. Friend the Member for Swansea (Mr. Dillwyn).

Mr. SCLATER-BOOTH said, he did not think the Chancellor of the Exchequer had been very happy in his defence of this Vote. It seemed to him that a nobleman of great ability and experience was not inadequately remunerated by £2,000 a-year for attending sittings of the Cabinet and giving valuable advice to his Colleagues. Undoubtedly it was also convenient to the Government that the Lord Privy Seal, or some other officer who was not very hardly worked, should be able to render assistance to his Colleagues in the manner which had been described, and of which they had had several instances in the present Administration. If they once began carping at these great offices of State, he did not know where they would stop, because there were many great officers of State whose positions might be considered sinecures, and about whose salaries much the same might be said as had been advanced in this case. The Government had, to a great extent, brought these arguments upon themselves by the wholesale reductions which they had effected in several Departments, and which had excited a vast amount of discontent among a large class of people of very small means. That might have been avoided if the changes had been made with less haste. At the same time, he hoped the Committee would not support the hon. Member for Swansea, for the office might very well be defended on its merits.

MR. COLLINS remarked that a Minister of a specific department, with duties of his own, could not afford such aid to those of his colleagues who might be laid up for a time as those Members of the Government who, having little business of their own, might be regarded as supernumeraries with respectable, old, and dignified titles. Neither the House nor the country would be benefited by the abolition of the office of Lord Privy Seal. The salary was small, and the existing arrangement enabled the Government, in the cheapest and most convenient way, to supply the places of Ministers who, like the right hon. Member for Birmingham (Mr. Bright), and the right hon. Member for Pontefract (Mr. Childers), broke down from illness. He hoped the Committee would not be led astray by false notions of economy.

MR. KINNAIRD said, he thought his hon. Friend the Member for Swansea (Mr. Dillwyn) was right in taking the sense of the Committee on this question, especially after the admission of the hon. Gentleman opposite (Mr. Muntz), that if they once began to reduce the number of officers they would be able to strike off others. He deplored extremes, however, and there was a very general feeling against ill-considered reductions. The Government had begun at the bottom in their reductions instead of at the top of the list; and he deeply deplored the results as seen in the unfortunate dockyard men who had been dismissed in the depth of winter and obliged to emigrate, while subsequently new men had been taken on at Woolwich who knew nothing of their duty. It would, perhaps, be an effective example to strike off the Lord Privy Seal. Then the country would understand that there was something like evenhanded justice. It was said, in reply, that the Lord Privy Seal had temporarily taken the office of First Lord of the Admiralty; that was quite true, but it was during that time that a most deserving public officer, Sir Spencer Robinson, had been turned out of his office. He should, therefore, support the Motion of his hon. Friend.

SIR DAVID SALOMONS said, there were two questions which the House of Commons had to consider—economy and efficiency. Believing the Lord Privy Seal to be an efficient officer, he thought the valuable services he had rendered were well worth the money.

VISCOUNT BURY said, he could not agree with his hon. Friend the Member for Perth (Mr. Kinnaird) that his disapproval of a particular act of a public servant was any reason for abolishing the office. Whatever might have been the course taken by Lord Halifax with regard to Sir Spencer Robinson, he thought it had nothing to do with the question of continuing the office of Lord Privy Seal. The office should stand on its own merits, and not be defended because the Lord Privy Seal was a Parliamentary Jack-of-all-trades, who might be conveniently utilized in any department in the absence of its chief. The Lord Privy Seal was, in fact, an instance of what was called in another country a Minister without a portfolio; and this Motion was another development of the habit, which had been too much growing up of late, of putting every institution on its trial, and, if it did not commend itself immediately to the necessities of the position, at once and for ever abolishing it. The office had grown up in the course of a long Parliamentary history; it had done, and he believed would again do, good service; and he hoped his hon. Friend the Member for Swansea (Mr. Dillwyn), having given a good back-handed hit to the Government for the way in which they had commenced and carried on their reductions, would not press his Motion to a division.

Mr. MUNTZ said, the only argument advanced in defence of the Vote was that if they began with it, they would not know where to stop, as there were so many others of the same kind. That seemed to be a reason for putting an end to it at once. But, whatever might be said of the usefulness of the Lord Privy Seal, it could not be supposed that he needed the help of a chief clerk, a private secretary, an assistant clerk, and a messenger.

Mr. KAY-SHUTTLEWORTH observed, that the Lord Privy Seal was not the only supernumerary whom the Government had at their disposal; they had also the Chancellor of the Duchy of Lancaster. He did not see why the Government should have two supernumeraries to replace any Colleague who might for a time be unable to attend to his duties.

Mr. BERESFORD HOPE thought that a larger question lay behind the controversy—namely, the maintenance of the House of Lords as a co-ordinate branch of the Legislature. It would not be thus maintained, unless the responsible Officers of the Crown took a proportionate share in its deliberations. Many heads of departments who used to sit in the House of Lords now sat in the House of Commons, and he asked how the Lords could interest themselves reasonably in the administration of the affairs of the country in the absence of sufficient Members of the Government from their House, charged with every Department, and therefore competent to devote their energies to the general conduct of Parliamentary Business. As an instance of the fact that the proportion of Ministers in the two Houses had been continually altered to the advantage of the House of Commons, he might quote the office of Postmaster General, which had been, till a recent date, one which was always filled by a Peer. The House of Lords was, in his opinion, peculiarly suited to deal with questions of art and taste affecting public buildings, national pictures, and matters of that sort; yet the exigencies of business required that the Chief Commissioner of Works and the Vice President of the Council should sit in the House of Commons, and therefore it was desirable that there should be a Minister of the position of the Lord Privy Seal in the other House to answer questions of that kind on behalf of the Government.

Mr. ASSHETON CROSS said, he did not think the House of Lords wanted £2,000 a-year to enable it to interest itself in the government of the country. It was evident that the Lord Privy Seal did very little or nothing, and it was still more clear that he did not want a chief clerk to help him. Unless, therefore, he obtained from the Treasury bench a sufficient reason for continuing the office, and such a reason as he could take to his constituents, he should be obliged to vote against retaining the office.

Mr. DILLWYN said, he could not consent to withdraw his Motion; but he wished it to be understood that he was not making a fling at Lord Halifax, whom he believed to be a most valuable public servant. He took exception to the appointment itself, and, in the absence of a sufficient explanation from the Government, felt compelled to divide.

Mr. MITCHELL HENRY asked, as a new Member, for some information as to the duties of Lord Privy Seal, stating that without further knowledge he should be unable to come to a decision upon this question.

Mr. BRUCE said, there was no doubt that the duties of this office were not considerable, and might easily be attached to another office. There were, however, duties to perform, and many appointments had to be examined into by the office of the Lord Privy Seal, and if they were transferred to another department the employment of a clerk would still be necessary. The real defence of this Vote was that the greater number of Members of the Government were over worked, and those Members who had least work of their own were told off to consider certain questions as they arose and to inquire into certain branches of business, and the Government had derived very great benefit from the services both of Lord Halifax and of his predecessor, Lord Kimberley. After this explanation, he hoped his hon. Friend would not press his Motion to a division.

Question put.

The Committee *divided*:—Ayes 73; Noes 44: Majority 29.

(10.) £13,456, to complete the sum for the Charity Commission.

Sir ROBERT PEEL said, he had ventured the other night to call attention to this Vote. The Vote for this Commission had increased during the last few years by £2,000 a-year. When Lord John Russell in 1853 introduced the measure he expressed a hope that the Commission would be made self-supporting, but that three persons would require to be appointed by the Bill who would receive salaries. Those three persons, he was sorry to observe, were still receiving salaries. The Secretary was a gentleman, no doubt, of great experience; but his absence from office almost exceeded that of Lord Halifax from his. He had a note of 17 visits which he had made to the Charity Commissioners' Office, and on every occasion had been told that Mr. Vane had just stepped out. He had also received letters from various persons complaining of the incivility with which they were treated when they went to the office to make inquiries. Eighteen years ago Lord Russell stated that the Roman Catholics were omitted from the administration of the Charity Commissioners, and his Lordship gave a pledge that though omitted then it was not with the view of omitting them permanently. He (Sir Robert Peel) now wished to be informed, therefore, whether the Roman Catholic charities were at the present time within the scope and action of the Charity Commissioners; and, if not, why they should not be equally subjected to the inquiry of Parliament? The expense of the Commission was very considerable, and on that ground he would ask Government a question which would press itself upon the notice of Parliament before long—whether the Charity Commissioners had turned their attention to charities which of all others he should say in the United Kingdom were subject to the greatest abuses—the City charities? Anyone who had looked into the subject of the City charities would agree with him that the enormous revenues received by the City charities were absorbed—he would not say in sensual enjoyment, but in luxurious living, and were not applied to the purposes for which they were originally destined. Take the case of St. Thomas's Hospital, erected opposite the Houses of Parliament. Nothing could be more extravagant than the erection of that Hospital. The money swamped in erecting that building would, if properly laid out, have doubled the number of patients provided for. He wanted to know if the Charity Commissioners, who cost £18,000 a-year, dared venture to interfere with the great City charities? Would Government give any Return, or allow him to move for any Return, showing the receipts and expenditure of these City charities, in a tabulated form—how much was spent in pensions; how much in eating and drinking, and such like inglorious occupations; and how much in united visits of committees to ascertain how the business was conducted? It was a most serious question. Hundreds of thousands of pounds a-year were in the hands of these great City Companies' charities, and he did not believe that half or a quarter of the amount was expended in the manner intended by the original donors. A proper application of the money would relieve a great deal of pauperism in the Metropolis. A short time since a Bill—the Court of Hustings Abolition Bill—had been introduced into that House, which belonged to nobody; the two gentlemen whose names were on the back denied all knowledge of it, and the Attorney General characterized it as a fraud. Now, there was a Bill before the House, which exactly entered into the category which the Attorney General had called "fraud." It had on the outside one title, and in the inside another. Outside it was called "The Charity Commissioners Bill;" but inside it was stated that it might be cited as "The Charitable Trusts Bill." The Bill was drawn up by the Secretary of the Charity Commissioners himself. What did the Bill do? It proposed to give to the Treasury power to increase the powers of these Charity Commissioners in a manner which could not be better explained than in certain Petitions which had been presented to Parliament, and among them one presented by the hon. Member for the City of London. That Petition stated that—

> "If this Bill is passed it will enable the Charity Commissioners, in their absolute and uncontrolled discretion, without the consent of the existing trustees of charities, to exercise their jurisdiction and to frame new schemes which may lead to the removal of active trustees and the vesting of all the property of a charity in the Charity Commissioners." "There is no precedent," said the Petition, "for vesting in an irresponsible body such extensive powers as are contemplated by the said Bill."

Just fancy all the property of all the charities in the kingdom in the power of the Charity Commissioners and their able Secretary! But, as he had already stated, his present object was — first to ask Government whether the Roman Catholic charities were, according to the pledge given by Lord Russell in 1853, included in the management of the Charity Commissioners, and if not, whether they would be included by the introduction of a Bill for that purpose; and secondly, whether Government had any objection to laying before the House some detail—say for the last five years — of the revenues from all sources of the various charities of the country, together with the expenditure; and also of the revenues and expenditures of the great City Companies' charities? It would be an introduction to more considerable action on the part of the hon. Member for the City of London himself. Perhaps the Government would likewise give the House some assurance that the Bill he had referred to had been incautiously drawn up; that the title by which it was to be known had been accidentally inserted; and that it would be withdrawn with a view to its re-introduction in a more correct shape.

Mr. BRUCE said, he could not admit that there was the slightest fraud connected with the Bill to which his right hon. Friend (Sir Robert Peel) had referred. It was a Bill very largely to extend the powers of the Charity Commissioners, and was therefore very properly called "The Charity Commissioners Bill." It was also called "The Charitable Trusts Bill," and the short title by which it was to be known was "The Charitable Trusts Bill;" but whichever of the two names it was to be called by, the public attention would be directed to it. But his right hon. Friend also wished to know why the Charity Commissioners did not inquire into the City charities? He must, however, be aware that their powers were at present very much restricted, as they could only call for accounts where the charities were under £50 a-year, and he would find that, while it was proposed by the Bill in question to extend those powers, it was not intended that absolute authority should be conferred upon them, but that it should be subject to an appeal to the Attorney General. The matter was one which might no doubt be very properly discussed, and if an opportunity had been given to his right hon. Friend the Vice President of the Committee of Council, or to his hon. Friend the Under Secretary to the Home Department to explain the provisions of the measure they would, he felt sure, have shown that there were sufficient reasons why it should have been introduced. The right hon. Baronet further expressed a wish to know why the undertaking which had been given by Earl Russell that Roman Catholic charities should be brought under the control of the Charity Commission had not been carried into effect. Now, as was well known, that was a point which had been the subject of considerable discussion. His hon. Friend the Member for North Warwickshire (Mr. Newdegate) was aware of the reasons why Roman Catholic charities had been exempted, and had frequently brought the subject before the House. Many of them, for instance, were regarded as illegal; and the question had last year been submitted to a Select Committee, while Notice of Motion had been given again this year for another Select Committee to see how far it was possible to bring those charities under the revision of some legally constituted authority. The matter was one, however, of great difficulty. It required the attention of the House; but no adequate solution had yet been proposed. His right hon. Friend objected, he might add, to the largeness of the Vote under discussion; but he seemed to have lost sight of the fact that the duties of the Charity Commission had increased greatly beyond the increase of expenditure. Every year brought a fresh number of charities under their cognizance, and under the cognizance of this House;—every year a large number of charities were only too glad to revise their position, to reconsider the appointment of trustees, and to bring their funds and endowments under the supervision of the Charity Commissioners. The time had, in his opinion, arrived when it had become necessary to consider the whole question of charitable trusts. Year after year, as Parliament bestowed attention on this subject, it was more and more felt that the subject was a national subject, and it seemed to him to be no illegitimate use of the national funds to apply a sum to defray the cost of the Commission. But his right hon. Friend must remember that during the course of this Session a Motion had been made by the hon. Member for South Essex (Mr. A. Johnston) and adopted by the House, which in substance pledged the House to impose some form of taxation on those charities, and it was certainly in the interest of the State that there should be as judicious an application as possible of the immense sum which they represented.

MR. SCLATER-BOOTH said, he thought the Committee had some reason to complain that the present Estimates should have been laid on the Table without any provision having been made to give effect to the vote at which the House had arrived on the question, especially when it was borne in mind that he himself when in office a few years ago, on an occasion when it was his duty to make a similar Motion, met with opposition from right hon. Gentlemen on the other side on the ground that the expenses of the Commission should no longer be borne by the public. How the Government could have gone on for two years without making any effort to carry out the vote of the House he could not understand. No inconsiderable sum might, in his opinion, he would add, be obtained by means of a small sum levied in the shape of a percentage on the dividends received by the Charity Commission. The revenue received was something like a million and a-half, and a very small percentage would produce an important sum. Part of the cost might also be raised by requiring the use of certain stamps in applications connected with trust funds. The Motion to which he referred embraced also the Copyhold Commission, to which they would come presently.

MR. A. JOHNSTON said, he had heard it stated that whenever the right hon. Baronet the Member for Tamworth (Sir Robert Peel) rose to address the House no one could tell on which side he would speak; but on that occasion he had managed to speak on both sides. First he had attacked the Charity Commission for not reforming the corrupt charities, and then he had, in unmeasured language, attacked the Bill whose object was to give them power to effect those very reforms—a power they did not at present possess. He could tell the right hon. Gentleman something about more than one of those charities. There was one charity in the case of which the Charity Commissioners were, to use a homely phrase, for some time "nagging" at the trustees to make a better use of, and at last to get them to promise an annual subscription of a handsome amount to a hospital in the East-end of London which did a great deal of good, but which was very badly supported in proportion to its wants. But when the proposal came before the hospital committee it was found that the instinct of jobbery was strong even in their reforms, and that the money was not to be had unless the committee would consent to keep three beds wholly at the disposal of the trustees. Now, to that, of course, in a hospital in which there urgent cases needing relief night and day, it was found impossible to agree. [Mr. Alderman LAWRENCE: Name.] The name was St. Edmund King and Martyr, and if the Charity Commissioners had the powers which the Bill before the House would confer upon them they could have insisted on something being done. The right hon. Baronet asked for further Returns; but hon. Members had already had Returns until they were sick of them. What were wanted were not Returns, but reforms. He wished also to say that he could not allow the suggestion which had been made by the hon. Gentleman on the front bench opposite (Mr. Sclater-Booth), to the effect that only those funds of charities which were received by the Charity Commissioners should be taxed, to pass without comment, for that would be in reality to tax the good while the bad were permitted to escape. It was most desirable that trustees should be encouraged to transfer their property to the official trustees, because that did away with all jobbery in the receipt of the income at any rate; but the hon. Member's proposal would entirely stop such transfers. It appeared to him that there were only two modes of dealing with the question—to make all charities liable to income tax, or to subject them to payments in the nature of a succession duty. Annual payments equivalent to a succession duty of 10 per cent imposed about three times in a century would, he thought, be a perfectly fair charge, and would go far to meet the difficulties which stood in the way of carrying out a Resolution of that House to which no Government seemed able to give effect. It would also fall on clubs and institutions of that kind. It was a

There was a favourite notion abroad that because these were wealthy Companies their funds were therefore legitimately to be appropriated for any purpose whatever. That was a dangerous doctrine, and one susceptible of very wide application. The right hon. Baronet pointed to the noble building at the opposite side of the Thames as an illustration of the manner in which the Livery Companies wasted their money. It was first of all to be remembered that the Livery Companies had nothing whatever to do with the great hospitals of the City of London, St. Thomas's, Guy's, and St. Bartholomew's being all separate corporations. He was not there to defend the manner in which any one of those hospitals might have expended its funds; he had yet, however, to learn that, assuming the governors to have been extravagant, the Charity Commissioners were the proper persons to decide upon the requisites in a great modern hospital, which, moreover, had been compulsorily removed and re-built, not in consequence of any wish of those responsible for the conduct of the Hospital, but because of railway operations at London Bridge. The Charity Commissioners Bill would be discussed on some future occasion; all he wished now to do was to protest against the general set and the sweeping charges which at the present moment were being made against the Livery Companies. Those Companies were reproached with their time-honoured custom of entertaining personages of distinction and others at dinner in their great City halls. He maintained that great and solid advantages had resulted from those much-abused festive gatherings in the City of London. At those entertainments persons of different social positions, different religious views, and different political opinions were brought together side by side and shoulder to shoulder, under softening and genial influences, and he believed that in a long course of years these social gatherings had done much to mould and form public opinion in the City of London, which, as they all knew, exercised a large and direct influence upon opinion throughout the country. It was pandering to vulgar prejudice to make attacks in this House upon the Livery Companies, for if they did not do their duty the Charity Commissioners had full power to inquire into the mode in which they distributed their funds, and to compel them to do their duty. He must protest against what had been said by the Home Secretary as to the object of the Bill being to give the Charity Commissioners greater power to seize funds, and apply them to more beneficial purposes, for that involved confiscation and communism.

Mr. BOWRING said, he wished to re-call the attention of the Committee to the Vote under discussion, and, before it closed, to defend an absent gentleman, Mr. Vane, the Secretary to the Commissioners, from what he could not but consider the undeserved attack made upon him by the right hon. Baronet the Member for Tamworth. He had always found Mr. Vane at the office when he had called there on business, and his experience was that he was always courteous and anxious to discharge his duty efficiently.

Sir ROBERT PEEL said, he brought no charges against the City Companies for their hospitality. He merely wished to know whether the Government had any objection to a tabulated Return of the income and expenditure of the City Companies for the last five years? He should feel obliged if the hon. Member for the City of London would take an early opportunity of proposing him (Sir Robert Peel) as a member of some of those Companies—the Goldsmiths' Company, for example. In his ignorance, he thought they were charities; and it was this ignorance he wanted to have cleared up, for he believed that a great sum of money was misapplied. He believed that an extravagant sum had been spent on St. Thomas's Hospital, and that double the number of beds might have been provided for the sum which had been expended.

Mr. MITCHELL HENRY said, he had the honour of knowing Mr. Vane, the Secretary of the Charity Commissioners, and could bear testimony to his great ability and attention to the duties of his office. He challenged the right hon. Baronet (Sir Robert Peel) to move for a Return of the days and hours dedicated by Mr. Vane to his department, because he knew that the result of such a Return would show how unfair and ungenerous were his attacks upon that gentleman.

Mr. M. CHAMBERS expressed a wish that the Chairman would keep speakers to the question before the Committee, because there had been a good deal of wandering—as he understood, not having been present himself. The subject of the Charity Commission was one of extreme importance, and demanded their utmost attention. He did not think that the City Companies, alluded to by the hon. Member for the City of London (Mr. Alderman Lawrence), were charitable institutions, but rather political institutions, and it was wandering from the point to discuss the way in which they managed their affairs. We all knew that they were universally praised, after dinner, in the City of London. He had no hesitation in saying that the money they were called upon to vote for the Charity Commission, and who were all barristers, was a great deal too much considering the limited powers they possessed, or the good they were able to effect. As to St. Thomas's Hospital, it was no doubt a beautiful series of buildings; but the public were not to suppose that those buildings were all appropriated for the reception of patients. No, they were intended to accommodate the Board at their meetings; also to give a spacious and handsome residence to the Treasurer, and to furnish accommodation to other officers connected with the institution. Now, what was the use of the Charity Commission if it could not prevent abuses? The Charity Commission was, in his opinion, a partial failure. Unless the powers of the Charity Commissioners were extended so as to enable them to put an end to the abuses of charitable institutions it would be better to abolish their office altogether.

Vote *agreed to.*

(11.) £12,982, to complete the sum for the Civil Service Commission.

MR. CUBITT said, there was considerable dissatisfaction felt at the replies given by the Chancellor of the Exchequer to the questions put to him respecting the action of this Commission. That Commission started last autumn some new regulations, under which nearly the whole of the appointments were thrown open to competition. In January a preliminary examination of candidates for first-class appointments was announced, and a great many gentlemen entered into competition. A certain number of the candidates failed in their examination; but, on the other hand, several gentlemen passed that stage, and were declared qualified to compete for appointments in Her Majesty's service. All those who competed did so under the belief that the Civil Service Commission had something to bestow upon them, and had probably given up other objects which they might have secured. But what had happened? It seemed that no day had been named for the final competition, and those gentlemen began to wonder how much longer they were to be disappointed in their hopes. The Chancellor of the Exchequer, in answer to a Question on the subject, said, he was sorry to say, there was no place at the disposal of Her Majesty's Government. Now, he (Mr. Cubitt) wanted to know whether the Civil Service Commission were responsible to anybody for their acts, and whether a repetition of those disappointments could not be prevented in future by a clear understanding with the head of Government Departments as to the number of vacancies likely to occur before any competitive examination was announced. One of the regulations of the Civil Service Commission was that every gentleman who competed at this preliminary examination should pay £1, and in case of ultimate success, another fee of £5. Now, in the case to which he had particularly referred, the Civil Service Commissioners would not even incur the trouble or expense of writing a letter to those candidates, informing them of the result of their examination, but left them to ascertain that fact in a chance number of *The London Gazette*—a newspaper not generally easy of access. Again, gentlemen had been allowed to compete on the supposition that the limit of age—24—applied not to the final but to the preliminary examination, and it was only when they had passed the latter that they discovered that the limit applied to the former examination. Thus many who had successfully passed the preliminary examination found to their disgust that they were precluded, on the ground of their age, from ever obtaining any employment in the service.

MR. ALDERMAN LUSK said, that the limited body of the first Commissioners received £3,500 for their services; the large body of examiners, and of assistant examiners, who really did all the work, only received £5,000 between them, MR. MELLOR called attention to the employment in the Civil Service Commission Department of two female servants and three charwomen for washing purposes, and said he thought that those gentlemen ought to do their washing at home. The increase in the incidental expenses had raised the expenditure from £12,000 to £16,000.

THE CHANCELLOR OF THE EXCHEQUER, in reply to the question of the hon. Member for West Surrey (Mr. Cubitt), said that the Civil Service Commission was responsible to the Treasury; but it was impossible that the latter could attend to all the minute details of the business of the Commission. The Treasury was only technically responsible to that House and the public for what was done. He could only again express his regret at the error which had been committed with respect to the preliminary competitive examination referred to. He feared there would not be any first-class vacancies for some time to come. It was no doubt very unfortunate that those gentlemen should have been put to the trouble and expense of the examination when there was nothing likely to come out of it. As far as he was concerned, he would take good care that such a mistake should not again occur. Having passed the examination, it was quite fair that these gentlemen should have their money back again. If they would write to him (the Chancellor of the Exchequer), or to the Commissioners, he had no doubt that matter could be arranged. He did not like the principle of demanding payment; but it was necessary to do so to prevent being overwhelmed with speculative applicants and the Department being put to a great expense, and there seemed no way to check the number other than by imposing a pecuniary fine. As it was, out of 180 candidates in the first class, two-thirds were plucked. The *Gazette* was certainly not an accessible paper, or a satisfactory medium for announcing the result, and he approved of the suggestion that the Department should send a circular round announcing the result to each candidate, or advertise in such papers as were likely to be read by all. He could only say that the expenses were inevitable, and there was no reason to suppose it would be less from the amount of work that was thrown on the Department to examine in different parts of the country. The correspondence alone was enormous, arising from the fact that the Department undertook to furnish the other Departments with all the information they required upon the subject. He should be happy to reduce it if possible. With regard to the two female servants and the three charwomen, to whom attention had been drawn by the hon. Member for Ashton, the fact was that the Department had to conduct many examinations in the building in Cannon Row. It was, therefore, necessary to have a great deal of cleaning done. It was not peculiar to this Department alone.

MR. RYLANDS said, he thought it was exceedingly desirable that a circular should be sent to the disappointed candidates. He did not think that an advertisement in the newspapers would answer the purpose.

MR. M. CHAMBERS said, he hoped the right hon. Gentleman would adopt the reasonable suggestion of the hon. Member for Warrington.

THE CHANCELLOR OF THE EXCHEQUER said, it might very well be done. It was not the practice at the Universities. There the only way a gentleman had of ascertaining he had failed was by not finding his name in the list.

Vote *agreed to.*

(12.) £14,348, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

MR. BOWRING said, there had been a complaint for many years that this Department ought to be self-supporting, and although there had been a decrease of £1,160 in the amount of the Vote this year, yet the receipts far from met the expenses. The Estimate showed a receipt from stamps of £8,074, and extra receipts of £4,420; and as the amount of the Vote was £18,848, there was an apparent deficiency of £6,354. If he was not mistaken, however, the estimated receipts were considerably understated.

MR. BAXTER said, it was highly desirable that the Commission should be self-supporting. The sum paid into the Exchequer in receipts were £15,000 against £18,848, the cost of the Department.

MR. GOLDNEY said, the question was, whether there was sufficient work to employ the large number of clerks?

The charge of £2,400 for tracing maps, &c., ought to be paid by the parties who applied for them. The work of the Commission was now practically at an end, and, therefore, as what they had now to do was principally in reference to exchanges, he could not see why the office should not pay every fraction of its expenses. The benefits derived from the Commission were now not general, but almost individual, saving the parties great expense with regard to tracing or copying maps.

MR. M. CHAMBERS said, he found on the Vote for tracings of maps for 1871-2 a sum of £2,400, and for 1870-1 precisely the same amount. He had looked for an explanation, and when he found one it had only left him still more embarrassed. Though with regard to this item he acknowledged that he had been totally ignorant, yet with respect to the tracing of maps he had a practical knowledge. The tracing of a map was made by placing a piece of transparent paper over the map and following out the particular figure and outline. He had not the least hesitation in saying that a map as large as the Table might be traced at the cost of 6*d*. or 1*s*. at the utmost. Who fixed the price of these tracings? In a note there was an explanation of the item of £2,400, that it was for "supplying to the Public Extracts, &c., from confirmed Documents." What was the meaning of that? In Note D there was an item of £1,900 for "services beyond those of the Establishment for Copying, &c., (partly Task-work, partly Day-work.") This equally required explanation.

MR. SCLATER-BOOTH, agreeing that the Notes were obscure, asked the Secretary of the Treasury whether, after three years' experience of the Act, it must not be pronounced satisfactory in a financial point of view, seeing that the Copyhold, Inclosure, and Tithe Commission now paid about two-thirds of its expenses.

MR. BAXTER said, he had already explained that the financial working of the Act was every year more satisfactory. There was a decrease of £1,160 in the Vote for the present year. It was desirable that further explanations should be given in the Notes, and the suggestions of the hon. and learned Member for Devonport (Mr. M. Chambers) should be duly attended to by the Treasury.

MR. M. CHAMBERS said, he could not regard the explanation as satisfactory.

Vote *agreed to.*

(13.) £8,350, to complete the sum for the Inclosure and Drainage Acts (Imprest Expenses).

(14.) £28,353, to complete the sum for the Comptroller and Auditor General of the Exchequer.

(15.) £30,250, to complete the sum for the Department of Registrar General of Births.

(16.) £11,732, to complete the sum for the Commissioners in Lunacy in England.

(17.) £28,375, to complete the sum for the Mint, including Expenses of Coinage.

(18.) £16,206, to complete the sum for the National Debt Office.

(19.) £24,539, to complete the sum for the Patent Office.

MR. ALDERMAN LUSK said, it was very hard that persons who went to take out patents should pay such enormous fees, and he trusted that the Government would put the Patent Office in order, so that there should not be so many complaints against that office.

MR. BAXTER said, that there was a decrease of £1,726 in this Vote, and that a Committee up-stairs was now investigating the subject.

MR. GOLDNEY complained that, while the scope and spirit of the Act of Parliament on the subject were to the effect that a statement of all new fees should be laid before Parliament within 14 days, no such statement had ever been presented. The great objection to all those payments was that they tended practically to shut out the poor man from obtaining a patent.

MR. LEEMAN said, that although a Select Committee was sitting to inquire into this subject, it was only right that the public should be made acquainted with the fact that, under this one Vote, a sum of £10,000 was divided in fees between the Attorney General and the Solicitor General. Now, the duties which they performed for that amount were matters of the purest formality, and for the performance of those duties they each received—supposing the money to be divided equally between them—a sum as large as the salary paid to the Prime

Minister. It was high time, in his opinion, that a Return should be furnished to the House of the fees which the Law Officers of the Crown got for doing the business of the country, and nothing could, he thought, be more scandalous than the manner in which the public were made to pay for patents, as illustrated by the division of the sum of £10,000 between two hon. and learned Gentlemen for work which was as entirely formal as any work could well be.

Mr. G. B. GREGORY said, the services of men of the highest professional skill were necessary in those who filled the offices of Attorney and Solicitor General, and they must be highly remunerated in some way or other. The present mode of remunerating them was highly objectionable; but if that were superseded, some other mode of payment must be substituted. He was a member of the Patent Law Committee, and he hoped that the result of their labours would be the reduction of the patent fees; but, if so, the Law Officers' remuneration must be otherwise provided for.

Mr. RYLANDS said, that the Secretary to the Treasury had taken credit for a reduction in the Vote to which he was scarcely entitled, inasmuch as the decrease was the result of the circumstance that there was a smaller number of certificates for patents this year than last.

Mr. M. CHAMBERS said, it would be very bad taste in him to go into a controversy with regard to lawyers' fees. But he might say that it would be exceedingly desirable if the remuneration of the Attorney and Solicitor General were placed on a different footing. There was a time when the greatest men at the Bar, occupying the positions of Attorney and Solicitor General, did not get such enormous remuneration as was now received from patent fees. He wished, he might add, to have a detailed explanation from some Member of the Government of the sum of £19,000, which he found in the Vote under the head of payments for Printing, Lithographer's Bills, for Drawings accompanying specifications, and estimated Cost of Paper supplied to the Printer and Lithographer by Her Majesty's Stationery Office. What did all this mean? He thought these expenses were paid by the patentees.

Mr. HERMON said, he saw certain expenses put down as having to be added to the original Vote, and he asked why the different amounts could not be put down together?

Mr. BAXTER said, the £19,000 was not in the Estimate at all. It was simply an explanation of the Estimate for next year, founded on the expenses of the year that was past.

Mr. GOLDNEY said, the total expenses connected with the Patent Office seemed to be £54,469. If so, why was the Vote put down at only £32,539?

Mr. AYRTON replied that the expenses for stationery and other items, referred to in the foot-note, were really incurred by other Departments on account of the Patent Office, and were voted in those Departments. To include them in the present Vote would be to vote them twice over. Every public office was thus supplied from the Stationery Office, for example, and of course no double Vote was taken.

Mr. SCLATER-BOOTH asked why, in that case, should the Patent Office be alone pointed to—*in invidiam*, as it appeared—in a foot-note which explained that other charges arose in respect of it? Such a note was misleading, and should either apply to all Departments or to none.

Mr. AYRTON said, that people frequently had an erroneous notion about the cost of patents, and it was thought well to show what they really cost.

Mr. M'LAREN said, the Government appeared to make a profit of £65,000 out of patents. The fees paid to the Law Officers of the Crown were £10,080—an amount equal to the salaries of two Judges in Westminster Hall, so that if two Judges were appointed to attend to patents they would receive no more than was thus paid. In addition, the Attorney General for Ireland received £1,200; the Solicitor General for Ireland, £800; the Lord Advocate £850; the clerk to the Attorney General for Ireland, £300; and the same to the Lord Advocate' clerk. The Law Officers of the Crown therefore received £14,430, which fell on the inventive genius of the country. The whole of this system of fees required revision. The Law Officers should have reasonable salaries, and be required to devote such time to the public as the performance of their public duties demanded.

Mr. MACFIE said, that a portion of this Vote was paid as compensation for loss of office, and therefore no work was done in return for the emoluments. The inventors of this country had several grievances, one of which was that from them there was taken away every year a large sum of money which was not applied to fostering invention in connection with trade. Very large fees were paid to the Law Officers for granting patents. It should be remembered that the scale of fees was fixed at a time when there was only one-fifth of the present number of patents sealed. Those gentlemen had met the Patent Laws Committee in a liberal and candid spirit, and the inquiry would, he believed, result in a great and wholesome change. He did not see on the credit side of the account any sum derived from selling copies of specifications, and he suggested to the Secretary to the Treasury the propriety of providing a Return of the total amount of the commercial business done by the Crown on the part of the country.

MR. SCLATER-BOOTH objected to its being assumed that those who possessed patent rights had any reason to complain.

Vote *agreed to.*

(20.) Motion made, and Question proposed,

"That a sum, not exceeding £16,866, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Department of Her Majesty's Paymaster General in London and Dublin."

MR. SCLATER-BOOTH called attention to the fact that the item "The Cashier and Pay Clerks' Risk Money, £47" this year showed an increase of £17 on the Estimates for last year.

MR. ALDERMAN LUSK said, he wished to know what the risk money was for. Was it given to the clerks to make up for mistakes? If so, it was a premium on slovenliness, and he would further say that in banks and offices in the City no such allowance was made, and it ought not to be sanctioned by Parliament.

MR. STANSFELD said, he believed his hon. Friend was mistaken. An allowance of that sort was very common in banks, and it was made in the Bank of England. It was not made to meet mistakes in account, but to meet mistakes in giving change.

MR. HERMON inquired the meaning of the item of £47 for "risk money."

MR. BAXTER explained that the item was put down to provide for any mistake that might occur handling the cash.

MR. HERMON said, he did not see such an entry in his ledger. Merchants were expected to keep their books within sixpence. He moved to reduce the Vote by that sum of £47.

Motion made, and Question,

"That a sum, not exceeding £16,819, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Department of Her Majesty's Paymaster General in London and Dublin,"—(*Mr. Hermon,*)

—put, and *negatived.*

Original Question put, and *agreed to.*

(21.) Motion made, and Question proposed,

"That a sum, not exceeding £171,648, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for Expenses connected with the Administration of the Laws relating to the Poor."

MR. GOLDNEY called attention to the amount put down as a commuted charge for the travelling and personal expenses of the Inspectors, which was about double the amount paid to the School Inspectors under the Privy Council for the expenses actually paid for by them, though the expenses of the Poor Law Inspectors were materially less than the School Inspectors, as most of the workhouses they visited were in towns to which railways went. Nothing was so bad as allowing persons to make up their salaries by charging more than they actually expended; and in order to prevent the practice being set up as a precedent in the case of the School Inspectors, he moved that the Vote be reduced by £1,500.

Motion made, and Question proposed,

"That a sum, not exceeding £170,148, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for Expenses connected with the Administration of the Laws relating to the Poor."—(*Mr. Goldney.*)

MR. MELLOR supported the Motion. From the 21st October, 1863, to the 10th November, 1870, the whole time spent in the inspection of workhouses amounted to 24 hours and 5 minutes, and he thought the sum paid for expenses was largely in excess of what it ought to be.

Mr. Alderman LUSK objected to the increase of taxation while the people were struggling hard to obtain the means of livelihood.

Mr. STANSFELD said, the increase this year amounted to £6,856, which was chiefly attributable to the items for incidental expenses and Returns. The commutations for personal expenses of the Poor Law Inspectors varied from £200 to £300 a-year, and depended upon the extent of districts and the frequency of visits paid. They were based on the experience of many years, and there was no reason to believe they were excessive. He would, however, satisfy himself on this point, and communicate the result of his inquiries to his hon. Friend (Mr. Goldney.)

Mr. GOLDNEY said, he would withdraw his Motion.

Amendment, by leave, *withdrawn.*

Mr. SCLATER-BOOTH called attention to rather a small item in this Estimate—£150 for fees to counsel. Considering the strength of the Poor Law Board—the great ability possessed by its head and by the Under Secretary who had charge of the legal business of the Department, and the extremely efficient aid received from the subordinates —he thought there was no necessity for such an item.

Mr. STANSFELD said, this was not a standing Estimate; but there had been cases during the short time he had been at the Board in which it was thought advisable that the opinion of the Law Officers should be taken.

Mr. C. S. READ asked, whether the £2,500 charged for "special Parliamentary Return" had reference to the Local Taxation Bill.

Mr. GOSCHEN replied that the Return in question had been prepared for the purpose of ascertaining precisely what rates fell on each class of property.

Mr. SCLATER-BOOTH complained that the description "special Returns" was obscure.

Mr. C. S. READ asked how the local Returns had been paid for.

Mr. GOSCHEN said, they had been compiled by a single gentleman working under him, and at present they had cost nothing but for the printing. The Treasury, however, was considering the advisability of granting a sum for the labour of compilation.

Mr. GOLDNEY asked whether the Inspectors rendered an account of their time in the same way as the Educational Inspectors.

Mr. STANSFELD said, they did.

Mr. GOSCHEN stated that the £2,500, to which previous reference had been made, was for the clerks of the Unions who had filled up the tables, and, considering that there were 700 Unions in England, this would not be found to be a large sum.

In reply to Mr. Craufurd,

Mr. GOSCHEN said, that the explanation of a schoolmaster apparently receiving only £1 was that they were paid by the number of children, and doubtless the man referred to had other scholars.

Mr. MUNTZ ridiculed the idea of a medical officer being found for a parish at a salary of £10 per year, and protested against the present system of Poor Law medical relief as a farce. The office was taken at absurdly low salaries, either to keep new medical men out, or by new men to get a footing in the parish, and in neither case were the poor cared for.

Mr. SCLATER-BOOTH said, it would be a mistake to compare what Members of the House were accustomed to give their medical men with that which was given to doctors attending paupers. As a fact, these gentlemen found it worth their while to undertake these duties.

Mr. C. S. READ said, that in rural districts medical officers were appointed to single parishes, and the salary of £5 was held to be sufficient. He quite agreed, however, that medical officers of Unions were very badly paid.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(22.) £17,523, to complete the sum for the Public Record Office.

(23.) £3,453, to complete the sum for the Public Works Loan, &c. Commissions.

(24.) £1,819, to complete the sum for the Registrars of Friendly Societies.

Mr. DIMSDALE observed that the time had arrived for the re-consideration and revision of the law relating to Friendly Societies, and recommended the abolition of the office of Registrar, remarking that it was of no use, while the certificates it gave conveyed a false impression of security.

THE CHANCELLOR OF THE EXCHEQUER was very much inclined to agree in that, but the question was under the consideration of the Home Secretary, and he did not know at what conclusion he had arrived on the subject.

Vote *agreed to.*

(25.) £289,531, to complete the sum for the Stationery Office and Printing.

MR. BOWRING remarked that the Vote this year showed a decrease of more than £5,000, which he thought highly creditable to the gentleman who had control of the office. He especially referred to the saving in the item of steel and quill pens. It had been the subject of much ridicule; but it was worthy of note that in two years the quantity of steel pens employed in the Government departments had been reduced from 15,000 gross to 10,000, making a saving to the country of £600 a-year; and the quantity of quill pens from 840,000 to 430,000, giving a saving of nearly £1,000 a-year.

MR. MACFIE regretted that this had been done at a sacrifice in quality, and hoped the steel pens would be improved —at least as far as the House was concerned. He suggested that the three *Gazettes* should be amalgamated, published "at cost," be better indexed, and made more interesting to the general public, in which event the publication would be subscribed to by all news-rooms as being a necessary part of their reading apparatus. Such a *Gazette* would also be an excellent medium for advertising specifications of patents, Blue Books, the valuable historical works recently published, and other publications brought out by the Government and the Public Departments. In reference to another matter, he was of opinion that as the Committees of the House upstairs had shorthand writers to publish their proceedings there should be an efficient shorthand writer appointed to supply reports of the debates of the House. They would be valuable as records, and advantageous for reference.

Vote *agreed to.*

(26.) Motion made, and Question proposed,

"That a sum, not exceeding £19,961, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Office of Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments."

MR. ALDERMAN W. LAWRENCE said, that in the last published Report, which only came down to the 31st of March, 1870, it was stated that the amount paid by the Office of Woods and Forests into the Exchequer during that year was £375,000. £14,800 of this sum, however, came out of the balance they had in hand. The actual income of the year ending the 31st of March, 1870, was put down at £360,133; but the cost of keeping up the office, &c., was £24,200, and the net produce of the Woods and Forests was only £335,900, or about £40,000 less than was stated to have been received by the Exchequer from the Department. In the last Report the irrecoverable arrears for England and Wales amounted to £35,100, and those for Ireland to £53,295, and these two items were included in the total of sums receivable. Surely there ought to be some means of discharging the accounts of these items. The receipts from the New Forest were £12,034, while the payments were £12,257. Now, it was certainly very remarkable that a tract of land consisting of nearly 100 square miles should yield no income whatever. With regard to Kensington Palace Road, he wished to remark that it ought not, in his opinion, to be blocked up against cabs. This Vote showed that his former Motion, in favour of a representative of the Woods and Forests being in the House, ought to be renewed at a future time.

MR. MILLER wished to know how it happened that the incidental expenses of one year corresponded precisely with those of another. Was he to understand that a sum of £5,000 was to be spent one year with another in law expenses?

MR. BAXTER: Yes, that is so.

MR. HERMON said, he thought it would be better if, instead of having two Commissioners at £1,200 a-year each, they had only one Commissioner. That would obviate a divided responsibility. What would be said if they had two Chancellors of the Exchequer? It would be well if the Department of Woods and Forests were placed under the Office of Works, and then they might expect to receive answers to their questions from the First Commissioner of Works.

The CHANCELLOR of the EXCHEQUER said, the duties of the two Commissioners referred to were quite separate and distinct. If two persons acted as Chancellors of the Exchequer, their duties would clash.

Mr. MUNTZ called attention to the fact that when the subject of the Woods and Forests was before the Committee last year there was a strong inclination on the part of the Committee to move a reduction of the whole Estimate. The expenditure was then found to be about equal to the income, and some member of the Committee stated that if any private estate in the world had been managed so, the steward would have been dismissed as perfectly incompetent. It was then promised that there would be a revision; but he did not know whether that was to take place. They were spending £5,000 in law expenses on an estate the whole net income of which was £2,700.

Mr. RYLANDS said, that in 1869-70 there was a similar grant for incidental legal expenses of £5,400, and only £2,949 was required, so that £2,451 was surrendered to the Exchequer.

Mr. MILLER moved that the Vote be reduced by £2,000.

Motion made, and Question,

" That a sum, not exceeding £17,961, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Office of Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments,"—(*Mr. Miller,*)

—put, and *negatived.*

Original Question put, and *agreed to.*

(27.) £29,741, to complete the sum for the Office of Works and Public Buildings.

In answer to a question by an hon. Member,

Mr. AYRTON explained that the increase of the expenses arose from the fact that a great addition had been made to the business of the office, both by Act of Parliament and by the arrangements of the Government. By one Act they had obtained charge of the County Courts, and by another arrangement they had charge of all the Consular establishments abroad, and the supervision of the Ordnance Survey and some other special buildings. Besides these there had been an increase in the business of the Department in consequence of the telegraph service having been taken over by the Post Office. Many of the buildings of the Post Office had had to be re-arranged for carrying on the business of the year. Hitherto sums had been paid for commission in reference to erecting the buildings to persons who were not in the office; but this practice had been discontinued, and considerable economy would be the result.

Mr. A. GUEST referring to the opening of the gate into Richmond Park, which had been so often under discussion, expressed a hope that it would be regarded by the First Commissioner of Works no longer as a merely local matter.

Mr. AYRTON said, it was a purely local matter, and those who were most interested in having the road were the most proper persons to take steps to obtain it. It was no part of the business of the Government to provide roads for the metropolitan districts, and there was no ground why the Wandsworth district should be an exception.

Vote *agreed to.*

(28.) Motion made, and Question proposed,

" That a sum, not exceeding £19,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for Her Majesty's Foreign and other Secret Services."

Mr. RYLANDS alluded to the statement of 'the right hon. Member for Tamworth (Sir Robert Peel), to the effect that certain sums were paid out of the Secret Service money to our Military *Attachés* abroad in addition to their salaries. He had every reason, he added, to believe that the information of the right hon. Gentleman on that point was correct, and that many other salaries were increased or pensions given out of the Secret Service money voted by Parliament in a way of which the House knew nothing. As a member of the Diplomatic Service Committee, and being possessed, as he was, of information which he regarded as authentic, he had put several questions to witnesses as to the payments made out of the Secret Service Fund, but he was stopped in doing so by a majority of the Committee. He now, however, begged to repeat that he had good reason for supposing that out of that fund additions were made to salaries which never came under the cognizance of the House. Anything more calculated to lead to jobbery he could not conceive. The Under Secretary was not, so far as he knew, aware of the way in which the money was expended, that being a matter which was entirely settled in a cabinet of the Foreign Office. There was nothing, indeed, to show that it was not devoted to augmenting the pay of a few persons connected with the Foreign Office who might be favourites of the Secretary of State. Under these circumstances, he should move the reduction of the Vote by the sum of £5,000.

VISCOUNT ENFIELD said, that, so far as the extra allowances which were granted to our Military *Attaché* at Paris were concerned, he had no further information than he had already given in reply to the right hon. Baronet the Member for Tamworth. It was perfectly true that that *Attaché* was paid a certain sum which was charged on the Diplomatic Estimates. He also received his half-pay as major, which was charged in the Estimates for the Army; while he was, in addition, re-imbursed for other expenses he might have incurred from the amount which was placed by Parliament in the hands of the Secretary for Foreign Affairs. What the sum he received out of that amount was, he must, however, decline to state. He would, at the same time, observe that if it was right to intrust the Secretary of State with a certain sum of money, it was equally right to allow him to exercise his discretion as to the manner in which it should be expended. He believed that when a question was put to the late Lord Clarendon on the subject his reply was—

> "Parliament and the country think I am fit to be at the head of Foreign Affairs, and yet some persons seem to be of opinion that I am not fit to be intrusted with the expenditure of the small amount which is placed in my hands for the purposes of the Office."

The Committee would not, he hoped, press him for any further explanation on the point. He had merely to add that, to the best of his belief, no further sum was paid to any individual connected with the Foreign Office.

MR. M'LAREN said, he thought the question raised by his hon. Friend the Member for Warrington (Mr. Rylands) had been altogether evaded by the noble Lord. The real point was that if certain public servants were in the receipt of salaries known to and fixed by Parliament, those salaries ought, if not sufficient, to be increased by this House, instead of having additions secretly made to them. He should vote in favour of the proposed reduction.

VISCOUNT SANDON said, he happened to have been a member of the Committee on the Diplomatic Service, and therefore could not allow this discussion to be concluded without a few remarks which he was led to make by what had passed when he was present at that Committee. He certainly could not see the least use in putting questions which no Minister sitting on the Treasury bench was in a position to answer. What was the use of asking for information when there was no Minister in the House who could give it; as it was well known, in accordance with the evidence of the late lamented Lord Clarendon, that the Under Secretary for Foreign Affairs knew nothing of the disposal of the Secret Service money, and that, as that noble Lord had said before the Diplomatic Committee, the Foreign Secretary alone was responsible for its expenditure? Last year, in the Diplomatic Committee, the hon. Member for Warrington often alluded mysteriously to this subject of Secret Service money. The members of the Committee were anxious to know on what grounds he based the remarks he made with respect to the application of this money; and they felt somewhat aggrieved that he did not give them the slightest clue to the mysterious information in his possession as to the application of the money in supplementing the salaries of public officers. The accusation was a grave one to make, and, if there were anything in it, the matter was well worth the attention of the House, and ought to be sifted to the bottom. He was not a member of the Committee this year, and therefore did not know what had been done in it; but, if there was real evidence to show that the money was employed in an improper manner, the hon. Member for Warrington, who had bestowed praiseworthy attention to the subject of the Diplomatic and Consular Services, ought to move the House to inquire gravely into the disposition of Secret Service money. As long as Parliament thought fit to make a grant for Secret Service money, we ought, unless strong evidence led us to suppose that it was improperly used, to regard it as such, and to treat Ministers of the Crown, who had the control of its expenditure, with that confidence which Lord Clarendon claimed for his high office.

MR. DILLWYN suggested that the Committee should defer the consideration of the Vote until they knew whether the money was spent in the manner indicated.

MR. SCLATER-BOOTH said, that when the right hon. Baronet the Member for Tamworth (Sir Robert Peel) stated, as a matter of fact, that the salary of an *Attaché* at Paris was supplemented by £500 a-year out of Secret Service money, he said if it were so he would move the reduction of the Secret Service Vote by that amount, because it was a contradiction in terms to pay a regular salary out of Secret Service money; but the noble Lord the Under Secretary of State for Foreign Affairs had given a different account of the matter, and had stated that the money was not paid as salary, but that a member of the Staff was entrusted with expenditure, which was reimbursed out of the Secret Service money. This was quite legitimate, and the House would only stultify itself if it voted Secret Service money, and then inquired to what purposes it was applied.

MR. ALDERMAN LUSK doubted the propriety and the necessity of voting Secret Service money at all, and thought that now-a-days it might be stated plainly and openly what money was required for.

MR. MUNTZ said, they were asked to vote £25,000 a-year without any reason being assigned. What was there that the Government were afraid or ashamed to speak of? He believed there was nothing wrong in the appropriation of the money; on the contrary, he believed it was required; and why could it not be stated what the money was wanted for? It had been very appropriately remarked by the noble Lord opposite (Viscount Sandon) that there was no use in asking for information when there was no Minister present to give it. The inference was that the money was to be voted without their questions being answered. Of course they ought to have confidence in the Government, who asked for it often enough; but the logical sequence of that would be that the £70,000,000 required for the total Estimates for the year should be voted at once without any explanation. Let the Government give a reason, and the money would be voted; but if they gave no reason he would vote against them.

MR. ALDERMAN W. LAWRENCE said, the question was, whether the Government was to be entrusted with an amount of money for Secret Service; those who thought it ought were illogical in attempting to reduce the Vote.

MR. RYLANDS said, he had stated positively that he had reason to believe that the money was applied in aid of certain salaries under the Foreign Office; and he gathered it was the general feeling of the Committee that if that was the case it was an objectionable application of the money. Of course he did not give the Diplomatic Committee the information which had been communicated to himself confidentially; but he gave the witnesses an opportunity of giving negative answers and of saying that the money was not spent in augmenting salaries. If the noble Lord the Under Secretary would say that Secret Service money was not spent in augmenting the salaries of persons in the public employment, he should be disposed to accept the assertion of the noble Lord; but the noble Lord could not give that assurance, and the reason was that the Secret Service money was administered by the permanent Under Secretary of the Foreign Office, so that the only representative of the Foreign Office in the House of Commons could give no information on the subject. It was most objectionable that the Under Secretary should not have personal knowledge of the matter. There was no imputation on anyone's honour; the imputation was not that the money was appropriated, but that it was spent upon objects which the House did not approve. Unless the noble Lord was prepared either to give a denial to the statements which had reached him or to postpone the Vote while inquiry was being made, he should be compelled to press for a division.

VISCOUNT ENFIELD said, he was sorry the hon. Member for Birmingham (Mr. Muntz) should think he had declined to answer any Question that was put to him. As to the particular expenditure incurred by and reimbursed to the Military *Attaché* in Paris, he thought he had explained the matter with complete frankness to the House. The salary to which that officer was entitled appeared in the Diplomatic Estimates, his half-pay was included in the Army Estimates, and the money which he had expended for other purposes was repaid to him out of funds applicable to that purpose in the hands of the Secretary of State. The hon. Member for Warrington (Mr. Rylands) was evidently in possession of secret sources of information which he himself did not possess. If the hon. Member would state, either in the House or privately, the names of the officials of whom he had reason to believe that, being already in receipt of salaries which appeared in the Estimates, they had additional money given to them out of the Secret Service Fund, he would endeavour to procure for the hon. Member the information which he required. [MR. RYLANDS: And postpone the Vote.] But if the hon. Member either could not give the names, or should not be willing to do so, he did not think that he himself was called upon in that event to offer any further explanation.

Motion made, and Question,

"That a sum, not exceeding £14,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for Her Majesty's Foreign and other Secret Services,"—(*Mr. Rylands,*)

—put, and *negatived.*

Original Question put, and *agreed to.*

(29.) Motion made, and Question proposed,

"That a sum, not exceeding £4,476, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly paid from the Hereditary Revenue."

MR. CRAUFURD wished to know if the office of Lord Lyon received in fees £800 over the sum paid for salaries, because there was as large a surplus received for fees. He wished to know if they were paid over.

MR. M'LAREN asked for an explanation of the Vote of £1,000 for the Queen's and Lord Treasurer's Remembrancer, which salary a Treasury Commission, specially charged to inquire into the circumstances, had reported ought only to be £800. He likewise wished to know whether the present holder of this office also received anything additional for services connected with *The Edinburgh Gazette.* Under the same head he found there were two second-class clerks, with salaries extending from a minimum of £315 to a maximum of £500. In parenthesis, however, it was stated that one of those clerks received £550, so that there must be a maximum above the maximum.

THE CHANCELLOR OF THE EXCHEQUER said, the amount of the salary had been very carefully considered; and, having regard to the important duties performed, the conclusion arrived at was that £1,000 a-year was not excessive. He was unable to answer the question relative to the clerks.

MR. SCLATER-BOOTH said, the Commission which had been sent down to investigate this matter included one of the most experienced men at the Treasury, and a noble Lord who had been employed on similar Commissions. The Committee had not been informed what influence was brought to bear upon the Treasury to induce them to fix the salary at £1,000, against the recommendation of the Treasury Commissioners that it be in future not more than £800, or whether the Chancellor of the Exchequer considered that the Commissioners had made an absurd and improper recommendation.

THE CHANCELLOR OF THE EXCHEQUER said, he had not stated that the recommendation of the Commission was either absurd or improper. But the question at issue was, whether, having regard to the duties of the office, and the trust necessarily reposed in the person who filled it, £1,000 was too large a salary. He felt that it was not, and it surely was a matter upon which it was competent for him to express an opinion.

MR. M'LAREN pressed for an answer to his inquiry, whether any additional remuneration was received by the same gentlemen for services proposed in connection with *The Edinburgh Gazette.*

THE CHANCELLOR OF THE EXCHEQUER: Not any.

Mr. MUNTZ said, he found an item of £240 charged for a law agent to the Bible Board. It seemed to him incredible that the Bible Board in distributing the Bible should incur an annual expense of £240 for a law agent. This item required explanation.

Mr. ASSHETON CROSS said, that a little further on there was a charge for law expenses connected with the Bible Board of £100.

Mr. M'LAREN said, the Government Commissioners had been as much surprised as the hon. Member for Birmingham (Mr. Muntz) at these items. On making inquiry into the amount of legal business done by their law officer, the answer was that upon one occasion "he almost had a lawsuit to conduct." The evidence showed that there being nothing whatever to do, the Lord Advocate, for the time being, appointed anybody who was politically useful to his party to the office.

Mr. MUNTZ said, as no satisfactory explanation had been given, he should move the reduction of the Vote by £240.

Motion made, and Question proposed,

"That a sum, not exceeding £4,236, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1872, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in the Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly paid from the Hereditary Revenue."—(*Mr. Muntz.*)

Mr. SCLATER-BOOTH said, he was not satisfied with the answer which had been given by the Chancellor of the Exchequer. For many months the House had been told, in the most ostentatious manner, of the great reductions which were to be made by the Government in this very department, moreover, of the Queen's Remembrancer. The right hon. Gentleman over and over again stated that the matter was under consideration, and finally a Treasury Commission was sent down which recommended that the salary attached to the office should be £800. This recommendation the Chancellor of the Exchequer *proprio motu* had overruled. Now this was an ancient and well-known office; and either grounds for consideration by the Government and for inquiry by a Treasury Commission with regard to it existed or they did not. If they did, then the deliberate recommendation of the Commissioners ought to have been acted on. If not, and their minds were made up all along, what became of this pretence of economy, carried on for months by the Government?

The CHANCELLOR of the EXCHEQUER said, the hon. Gentleman had forgotten the circumstances under which this Commission was sent down. Great pressure had been brought to bear upon the First Minister by Members from Scotland, who suggested that there were great expenses in Edinburgh and elsewhere which, if curtailed, might admit of the establishment of a Scotch Minister with greater authority than the Lord Advocate possessed. It was to test that assertion and to see how it was borne out by the facts that the Commission was sent down, and not specially with a view to this office of the Queen's Remembrancer, which was one of the greatest dignity, importance, and responsibility in connection with the control of public money in Scotland. The Government did not bind themselves to accept all the recommendations of the Commission. Some they did accept, but this one they felt they would not be justified in adopting.

Mr. ASSHETON CROSS asked for some explanation respecting the Bible Board.

The LORD ADVOCATE said, that the Bible Board consisted of certain Commissioners appointed by the Royal Warrant, by whom licences were granted to print copies of the Bible and certain other books, and thus the monopoly which existed in this country was got rid off. All these Commissioners, with the exception of the secretary, who was also a Commissioner, were unpaid; but as it was necessary that a law agent should be consulted in granting these licences, the gentleman holding that office received a salary of £240 per annum. The amount of the law agent's salary had been fixed some 25 years ago, and at all events it must be paid during the lifetime of the present holder of the office. No doubt at some future time the question would arise whether it was necessary that such an officer should be maintained at all.

Mr. CRAUFURD complained that what was done gratuitously in England by the Universities should cost £1,000 per annum in Scotland.

The LORD ADVOCATE said, that whereas the monopoly of Bible printing existed at the present time in England, it had, owing to the existence of the Bible Board, been abolished in Scotland.

Mr. CRAUFURD said, that although the Lord Advocate had stated that the Commissioners were unpaid, the right hon. and learned Member and the Solicitor General, who were at the head of that Board, were paid whenever the Board required their opinion. What was the use of placing this Vote upon the Estimates if that House were bound to pay the salary of the law agent during the life of the present holder of the office?

Mr. MUNTZ said, he saw no reason why this £240 should be paid; and he felt bound to divide the Committee upon the question. As to the office being abolished, he had never known an instance of its being done in the last 40 years, except by a vote of the House.

Mr. M'LAREN said, the evidence given to the Committee showed that the agent was properly the agent for the Lord Advocate, and that his appointment continued only so long as the Lord Advocate who appointed him remained in office.

Question put.

The Committee *divided:* — Ayes 35; Noes 88: Majority 53.

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

PARLIAMENT—PUBLIC BUSINESS—MORNING SITTING.—QUESTION.

In reply to Colonel Wilson Patten,

Mr. BRUCE said, that, considering the objection taken by the right hon. Member for the University of Cambridge (Mr. S. Walpole), and the fact that a good deal of progress in the Estimates had been made that evening, the Government were not inclined to have a Morning Sitting to-morrow. It might be convenient, however, to give notice that Morning Sittings would be resumed on Tuesday next.

OYSTER AND MUSSEL FISHERIES SUPPLEMENTAL (NO. 2) BILL.

On Motion of Mr. Chichester Fortescue, Bill to confirm certain Orders made by the Board of Trade under "The Sea Fisheries Act, 1868," relating to Emsworth Channel and Swansea, *ordered* to be brought in by Mr. Chichester Fortescue and Mr. Arthur Peel.

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) SUPPLEMENTAL BILL.

On Motion of Mr. William Henry Gladstone, Bill to confirm Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. William Henry Gladstone and Mr. Baxter.

Bill *presented,* and read the first time. [Bill 173.]

LODGERS' GOODS PROTECTION BILL.

Select Committee *nominated:*—Mr. Solicitor General, Mr. Cubitt, Mr. Morley, Mr. Heygate, Sir Francis Goldsmid, Mr. Ridley, Mr. W. M. Torrens, Mr. Straight, Mr. Holms, Mr. Lopes, Mr. M'Arthur, Sir William Bagge, Mr. Muntz, Mr. Staveley Hill, and Mr. H. B. Sheridan:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Friday, 2nd June, 1871.

MINUTES.]—Public Bill—*Report*—Benefices Resignation* [111-174].

ADULTERATION OF TEA.—QUESTION.

Lord EUSTACE CECIL asked Mr. Chancellor of the Exchequer, Whether, in regard to a large quantity of adulterated tea lately allowed to pass through the Custom House, and so thrown upon the London market, any regulations exist which make it the duty of Custom House officers to examine and detain all suspected goods in bond; and, if not, whether he will take steps to issue such regulations, so that some check may be put to a practice which inevitably leads to an open breach of the Law?

The CHANCELLOR of the EXCHEQUER said, in reply, that no regulations of the kind alluded to were in force, nor was there any law upon which such regulations could be founded. If he were asked whether he thought it desirable to endeavour to persuade Parliament to make such a law, he should say, so far as his own opinion went, that it was not; because, if they were to give the Customs the power of checking all the adulterations which took place, they would thus make the service more unpopular than it was at present. It appeared to him that checks on adulteration ought, like taxes, to be made as light as possible; and he also thought that the best period for stopping adulteration was when the article was exposed for sale, and not in the earlier stages.

LAW OF EXTRADITION.—QUESTION.

MR. BOURKE asked the First Lord of the Treasury, Whether any communication has been received by Her Majesty's Government from the French Government upon the subject of extradition; and, if so, whether he will inform the House of the nature of such communication, and of the reply which Her Majesty's Government have given or are about to give to that communication?

MR. BRUCE: Sir, no communication whatever of the sort referred to in the Question of the hon. Gentleman has been received by Her Majesty's Government.

FRANCE—STATE OF PARIS.

QUESTION.

MR. LOCKE asked the First Lord of the Treasury, or, in his absence, the Under Secretary of State for Foreign Affairs, Whether insurgents are still being shot without trial by the Versailles Government; and, whether Her Majesty's Government have made any, and, if so, what remonstrance to the French authorities as to their execution of persons without trial?

VISCOUNT ENFIELD: Sir, Her Majesty's Government have no further information with respect to the first part of my hon. and learned Friend's Question than that contained in the usual channels of information to the public, and, with regard to the latter portion of the Question, I believe that no communication on the subject has been addressed to the French Government.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

The Chancellor of the Exchequer

THE NATIONAL DEBT.—RESOLUTION.

MR. WHITE said, that he wished to make a Motion condemning the policy of increasing the income tax to feed a sinking fund, and, accordingly, he would beg leave to introduce to the notice of the House the following Resolution:—

> "That in the opinion of this House it is inexpedient to make provision for the reduction of the National Debt by an annual charge upon the Imperial Revenue until a considerable diminution has been made in the Customs and Excise Duties now levied upon articles of domestic consumption."

On the 4th ult., when he had seconded the Motion of the hon. Member for Finsbury (Mr. W. M. Torrens) in Committee of Ways and Means, the Prime Minister remarked—

> "Do you mean to say that your care is only for the present, and that you would leave posterity to shift for itself? If so, say so plainly. Have the courage of your opinions, and lay on the Table of the House a proposal embodying your intentions."

Having the courage of his opinions, he accepted the challenge of the right hon. Gentleman, and on the very next day gave notice of the present Motion. In reply to the question whether posterity should be left to shift for itself, he ventured to think that posterity would shift much better for itself than did the present generation, otherwise the system of national education just inaugurated would prove to be a miserable failure, and he was of opinion that nine-tenths of the maladies which afflicted our political and social constitution arose not from national selfishness nor indifference, but from national ignorance. The plague of pauperism; the equitable adjustment of Imperial and local taxation; the relations of capital and labour; fertile lands in abundance in our Colonies, yet vast masses unemployed at home: these and other perplexing social problems would, in a condition of higher intelligence, assuredly solve themselves; and he did not believe that the future Medical Officer of the Privy Council would report that one-fifth of our population could not, owing to scanty earnings, sustain themselves in good health. He did not believe that in the next century the extraordinary disparity between the longevity of the working classes and that of the well-to-do-classes, even in the Valley of the Thames, would be as startling as it was now; neither did he think that infant mortality, the shame of the present, would be the opprobrium of the next generation; nor that the future Earl of Derby would be able, as the present possessor of that title did only yesterday, to point out that one-third of the population of Liverpool, or some 150,000 persons, consisted of families living in a single room under conditions necessarily unhealthy and not consistent with decency. On the 18th of last month the right hon. Gentleman the Chancellor of the Exchequer informed the House, in reply to a Question he (Mr. White) put, that the total amount of Terminable Annuities existing on the 31st of March, 1871, was £4,559,380, of which amount £1,739,096 might be taken as interest, and £2.820,284 as principal applied to the redemption of the capital. The amount of Debt in a perpetual Three per Cent Stock, which those Annuities might be said to represent, was £57,969,885. Before coming to the question of the old sinking fund, he wished to refer to the recent scheme for the reduction of the National Debt. The Chancellor of the Exchequer, in his last Financial Statement, had taken credit for reducing the Debt by £10,468,728 between April 1st, 1868, and March 31st, 1871; but from an explanatory Return laid on the Table of the House a few days ago, he (Mr. White) gathered that of that sum £4,000,000 consisted of capital transferred from the Court of Chancery to the National Debt Commissioners, and another £2,000,000 of capital transferred from the Court of Bankruptcy, making together £6,000,000. The £4,000,000 consisted of money unclaimed, and securities purchased with surplus interest placed out for the benefit and better security of the suitors of the Court of Chancery; and the £2,000,000 arose from certain investments by the Bankruptcy Court as a banker—at its own risk—of cash belonging to bankrupt estates and of unclaimed dividends before August 6th, 1861. Therefore, the transfer of those £6,000,000 was nothing more or less than a book debt, and, of course liable to any claim that might hereafter be substantiated by the parties interested in the funds of those two Courts; and that fact ought to have been plainly indicated on the face of the Return. That Return, moreover, conveyed a very erroneous impression, because to call such an appropriation as that a reduction of the National Debt was a misnomer or misapplication of terms; for, irrespective of the contingent liabilities just mentioned, the salaries and expenses of the Courts of Chancery and of Bankruptcy, which were formerly paid out of the funds handed over to the National Debt Commissioners, were now placed on the Consolidated Fund or on the Civil Service Estimates. The total Vote for the expenses of those two Courts in the Estimates of this year was £261,319; and if the whole of that sum was before defrayed by those Courts, then it could not be deniedt hat a surreptitious sinking fund to that amount had been created. At any rate, the straightforward course would have been to state not only the credit but also the debit side of that financial operation. Again, he wished to refer to a popular delusion fostered by our present financial system. The public saw it announced, as it was last autumn, for instance, in *The London Gazette*, that the sum of £1,308,405 was, under the Sinking Fund Act, available during the quarter for the reduction of the National Debt, that sum being one-fourth of the surplus Revenue of the preceding twelvemonths, and the public believed that such reduction would be effected, whereas only part of that total was thus used, £500,000 of it having been really appropriated to repay the advances of the Bank. The utter absurdity of that sinking fund scheme would be acknowledged if it were remembered that from 1829 to the end of 1869, while the sums issued ostensibly for the reduction of the Debt had reached £48,000,000, no less than £21,000,000 were never so applied, but were absorbed in taking up deficiency bills or repaying Bank advances. Besides, how stood the case with regard to that sinking fund imposture—for he could call it by no other name—during the last 21 years? From the 5th of January, 1850, to the 31st of March, 1871, while there was £31,705,000 of surplus income, the amount of the deficiences was £42,903,000; so that by their sinking fund operations during the last 21 years, they had incurred a balance of deficiency of £11,198,000, and had actually added £10,250,000 to the National Debt, as was admitted by the Prime Minister in the debate on the 4th ult. Mr. Pitt's sinking fund system, than which nothing could be more delusive, was once deemed a masterpiece of financial wisdom; but with regard to the present ostensible, but unreal, appropriation, under the Sinking Fund Act, of one-fourth of each accruing annual surplus to the reduction of the National Debt, he must admit that the present Government did not originate but inherited that bad system. He might remark that the principal of our present National Debt was two-fifths more than the amount of capital advanced, and that the total amount of the Government Stocks created between the years 1793 and 1816 was £773,685,839. The cash actually received by the Exchequer, however, only amounted to £493,608,261. As an illustration of the mode in which the Debt had been incurred, he might mention that in 1798, £200 of Three per Cent Stock, and a Long Annuity of 4*s.* 11*d.*, was given for £100 received, and in 1815, at the close of the French War, £174 of Three per Cent Stock and £10 in the Four per Cent Stock was given for every £100 received. Hence, as has been shown by the late Mr. M'Culloch, we were now paying £6,000,000 or £7,000,000 a-year more as interest on the National Debt than we should have had to pay had the same sum been borrowed at the current rate of interest, and funded without any increase of the capital of the Stocks created, as then might have been done. In order to prove the diminishing burden of the National Debt owing to the increase in the resources of the country, he (Mr. White) would quote a recent work by Mr. Dudley Baxter, in which it was stated that in the year 1869 the whole charge per head upon the population in respect of the National Debt was only 15*s.* 9*d.*, whereas in 1815 it had been 34*s.* 8*d.* As a further illustration of the greater ability of the country to bear the burden of the National Debt, he showed that whereas the whole private income of the country amounted to about £350,000,000 in 1815, it was now estimated at fully £880,000,000. Thus the total amount of the National Debt was not now equal to more than one year's income of the whole nation. The relative magnitude of the Debt of this country, as compared with that of other nations, had also greatly diminished, inasmuch as while our Debt in 1815 was greater by one-half than the aggregate National Debts of all other countries, it did not now amount to more than one-fifth of the total, including the National Debts of America and Japan. As evidence of the increasing ability of the population to pay the interest upon our Debt, he pointed out that whereas 30 years ago an income tax of a penny in the pound only produced £750,000, now it produced £1,500,120. Under these circumstances, therefore, although he could not agree with the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) that the National Debt was a mere fleabite, still it was evident that in succeeding years the resources of the country would have increased so as greatly to alleviate the pressure it now occasioned. It was on this ground, therefore, that he protested against the income tax—a tax obnoxious because unjustly assessed—being augmented at the rate of 50 per cent, in order to enable the Chancellor of the Exchequer to invest yearly some £2,800,000 of income at 3¼ per cent towards a sinking fund by which the Debt might be paid off. In his opinion it would be much better to allow the money to fructify in the pockets of the people. Upon this point he entirely agreed with what had been said by Mr. Laing, a former Secretary to the Treasury—namely, that it was absurd to take 30*s.* at 5 per cent in order to invest 20*s.* at 3¼ per cent. That Gentleman had rightly put those figures, by calculating that to every pound taken by the tax collector a large percentage must be added for interference with trade, curtailment of employment and consumption, and other indirect consequences. It had been said that if an individual were bound to pay off his debts, a nation was equally bound to do so; but the right hon. Gentleman the Chancellor of the Exchequer, when speaking this Session on the Motion of the hon. Member for Sunderland (Mr. Candlish) had pointed out that the comparison of public and private policy did not hold good, because the expenditure of a nation was in some degree fixed, while the Revenue might be increased or diminished, whereas, while the income of an individual was generally fixed, his expenditure might be controlled. The annual sum of £2,820,284, which the Chancellor of the Exchequer had appropriated towards paying off the National Debt, would have enabled him to have reduced the sugar duties one-half, or to have totally abolished the duty on tea; or even £888,679 of that sum would have enabled him to have abolished the entire duty on coffee, currants, raisins, chicory, cocoa, figs, prunes, and plums. Had that sum been appropriated to the reduction of the malt duty, that duty might have been reduced one-half. The right hon. Gentleman, in reply to the hon. Member for Derby (Mr. Bass) on the 11th of May, told the House that, while direct taxation contributed but 25½ per cent, indirect taxation contributed 60½ per cent to the income of the country, which, for reasons he did not then propose to give, he regarded as being an under estimate of the amount of our indirect taxation. Out of the £70,000,000 of our national Revenue, £40,000,000 was derived—and mainly from the poorer classes—from tea, sugar, coffee, spirits, malt, tobacco, and from licences for manufacturing and vending the same, which was £13,000,000 more than the whole amount required to pay the interest of the National Debt and the Terminable Annuities. There never was a greater delusion than the notion entertained by some persons that the working classes were comparatively exempt from taxation, and that nearly the whole of the taxes levied in this country were paid by the middle or richer classes. He had taken the trouble to ascertain the present duties on the average cost of articles in bond, and he found that the duty on tea was 40 per cent; sugar, 20 per cent; coffee, 43 per cent; currants, 28 per cent; raisins, 23 per cent; tobacco, that was to say common tobacco used by working people, 500 to 600 per cent; cigars, 41 per cent; spirits, other than brandy, from 350 to 694 per cent. And whilst a poor man who indulged in a bottle of "Gladstone," which cost 1*s*., paid a duty of 2*d*. on that bottle, a rich man paid only the same amount of duty on a bottle of "Chateau Margaux," which cost as many shillings as "Gladstone" cost pence. Thus they still maintained a large and permanent taxation upon articles of import and of native growth which were mixed up with, and were essential to, the comfort of every cottager's family in the kingdom. Such a system never was and never would be just, because it fell most heavily on those who were least able to bear it. In fact, under their system, property paid too little and poverty too much. In 1852 Colonel Thompson—and no better authority could be quoted, said in that House that the poorer classes paid 10 or 11 times more than their proper proportion as compared with the richer classes. That ratio happily did not now hold, but he thought it was demonstrable that a man with a wife and three children, earning 25*s*. per week, paid on the average quite equal to a 10 per cent, or 2*s*. in the pound, income tax on the necessaries of life. He (Mr. White) said necessaries of life, because tea, coffee, and sugar had become necessaries of English life, as by our Poor Laws those articles of domestic consumption now formed part of the pauper dietary of our unions. As illustrative of the incidence of indirect taxation on the poorer classes, he would take the case of a man with a wife and three children earning 25*s*. a week. Assuming that he spent but 2*s*. 4*d*. a week in tea, coffee, and sugar, he would actually pay in the shape of duty, 19*s*. 6*d*. per annum, and if thereto be added the profits on those duties by the vendors, he had no hesitation in saying that in the case of such a man, with an income of £65 a-year, he was mulcted to the full amount of a fourpenny income tax. He thought this fact well worthy of consideration. To show the increase in the price of an article following the imposition of a duty, he might mention that when Sir George Lewis placed an additional duty of a penny on coffee, every poor man who wanted to purchase an ounce had to pay an extra farthing—for there was no smaller currency—or four times the amount of that new duty. And it should be borne in mind that for one who buys coffee by the pound, there are a hundred who buy it by the ounce in many parts of this Metropolis. In conclusion, he would beg to ask, who could accurately estimate how much our present heavy taxation checked the national industry, how much it curtailed production and lessened employment and profits? It should never be forgotten that of our total Revenue of £70,000,000, fully £50,000,000 were annually raised from Customs, Excise, and other imposts bearing upon the trade, the industry, and the subsistence of the people. In the face of the facts he had adduced, he ventured to think that, having regard to the present and also to the future, it was not expedient to make provision for the reduction of the National Debt by means of taxation levied upon articles in general consumption by the industrial classes of this country, and, should his Resolution be negatived, he hoped he would be forgiven if he avowed that he failed to discover the present or future advantages of our sinking fund system, which he held to be a specimen of what Lord Bacon called "sinister and crooked wisdom." The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is inexpedient to make provision for the reduction of the National Debt by an annual charge upon the Imperial Revenue until a considerable diminution has been made in the Customs and Excise Duties now levied upon articles of domestic consumption,"—(*Mr. James White,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir DAVID SALOMONS said, he thought the House was indebted to his hon. Friend the Member for Brighton (Mr. White) for the industry he had shown in getting together the figures he had quoted. It was always difficult, without previous notice of the exact line intended to be taken, to prepare figures to counteract the figures that might be brought into the discussion; but having for many years of his life had his attention directed to figures, and to the subject not only of our own National Debt but the debts of foreign countries also, he wished to say a few words on the speech of his hon. Friend, who, he (Sir David Salomons) thought, had made a speech which would have come more fittingly as a reply to the Chancellor of the Exchequer on the Budget, than in support of the Amendment which he had moved. There was one point which his hon. Friend had not touched on, and that was the high credit we enjoyed in the money markets of the world. Why were our Funds now at 93? Because it had always been the great care of Parliament to be most scrupulous in everything that concerned our National Debt; and when we incurred that debt it was always with the determination that we should adopt every fair measure that presented itself for its reduction; that in time of prosperity we should husband our resources with that object; and that the public mind and the mind of Parliament should be constantly directed to it. In dealing with this subject it was not for us to proclaim to the world what a wealthy nation we should some day be and to leave everything to the future. Every nation was liable to contingencies, and what we should aim at was that in the maintenance of our financial system the National Debt should rather be diminished than increased, so that our successors should not be able to say that we had done nothing to reduce the burden of the Debt. An observation had been made in an American paper which was very *àpropos,* as showing not what we thought of ourselves, but what was said of us in connection with this matter of National Debt by a friendly nation, which had a right to speak, seeing how much it had already done to reduce a heavy debt. It might be said that the United States, having incurred a great debt in the Civil War, had taxed themselves heavily and reduced the debt in order to show the world what a great people they were. But if any nation had a right to count on futurity it was the United States, and he remembered hearing his hon. Friend the Member for Brighton say that the United States might presume to do anything on account of their vast uncultivated lands. The passage to which he had just alluded was the following:—*The New York Times* said—

"The history of nations has no more astonishing financial record than that which the Treasury at Washington has been able to issue on the 1st of May. Only to think of coming out of a stupendous war, prosecuted under financial difficulties which treason at home and widespread distrust abroad constantly aggravated to the last hour of wicked rebellion, with a debt of 2,755,000,000 dollars, and of reducing it in six years, of peace to be sure, but not altogether free from domestic trouble, 505,000,000 dollars, and lessening the burden of annual interest in the same time 38,000,000 dollars per annum! Great Britain came out of her great wars in 1815, and, after taking five or six years to settle up its accounts, found herself with a public debt of over 400,000,000 of dollars—say £800,000,000 sterling, which immense total in the intervening half-century, 1820 to 1871, has scarcely been perceptibly reduced."

Now, we ought not to be open to a taunt of that kind, nor, indeed, was it quite true that our Debt had not been reduced, for no notice had been taken of the termination of the Long Annuities. At present the Debt was about £800,000,000, including the Annuities, which he hoped would be allowed to run on until 1885, when they would disappear, and then our National Debt might be looked upon as reduced to about £720,000,000 of funded debt with a corresponding reduction of taxation for the annuities which will have expired. Parliament having made a contract with the public creditor that a part of our funded debt should be turned into annuities to expire in 1885, was bound to adhere to that contract. No one could contemplate the number of 30,000,000 of souls which formed the actual population of this country without being deeply grateful to the Almighty for the many advantages we enjoyed, and if it were said that we could not now afford to pay the £2,000,000 in question in order to enable us to endeavour now to reduce our Debt, it would surely be virtually putting off its reduction to the Greek Kalends. As a commercial country we ought to take a more practical view of our position. It would be highly impolitic and undesirable to adopt the course recommended by his hon. Friend the Member for Brighton, and the House could do nothing better in support of the public credit of the Empire than to negative the Amendment of his hon. Friend.

Sir TOLLEMACHE SINCLAIR then rose to move the Amendment of which he had given Notice—

> "That in addition to the suspension of the Sinking Fund or Terminable Annuities, the taxation ought to be re-adjusted, so that all the taxes on the necessaries of life, including tea, sugar, and coffee, should be immediately abolished."

Mr. SPEAKER intimated that the hon. Member could not move an Amendment upon the Amendment of the hon. Member for Brighton (Mr. White).

Sir TOLLEMACHE SINCLAIR observed, that as he was unable to move his Amendment, he wished to say a few words on that of the hon. Member for Brighton (Mr. White), and on the remarks which had just fallen from the hon. Baronet the Member for Greenwich (Sir David Salomons). The hon. Baronet had alluded to the fact that the funds were now at 93; but in 1852, it should be remembered, that they were really above par; and he did not think that it would be an unsound proceeding to suspend the operation of the sinking fund. The income tax, when first imposed, produced £750,000 at the rate of one penny. At present, the same rate produced £1,500,000; and, as compared with property, the Debt in 1871 was exactly half what it was in 1846, and there was every reason to hope and believe that the prosperity of the country would continue, and that in the course of another 20 years the income tax, instead of producing £1,500,000, would produce £3,000,000. He therefore considered the House would be justified in withholding for the present the payment of these Terminable Annuities. With respect to the taxes on the necessaries of life, there was a strong feeling that they ought to be repealed, inasmuch as they were taxes on production. He agreed with the hon. Member for Brighton that these taxes were equal to £1 a-year on each family. Taking a man's income at £50, these taxes amounted to 2 per cent, which made all the difference in production in competition with other nations; but, while it was only a tax of 2 per cent on the man's wages, it was from 10 to 15 per cent on the poor widow, who was only earning a scanty livelihood. As the Representative of a county constituency whose interests were bound up with real property, he could not be suspected of any political motive in advocating this question; but he had for many years taken a great interest in the working classes, and had had many opportunities of judging of the effect of the taxes on the necessaries of life; and, in his opinion, nothing could be done which would more tend to diminish drunkenness and to add to the welfare of the working classes than the remission of these taxes. It might be objected that this was not the proper time or opportunity for bringing forward a question of this kind. But he maintained that the time was singularly opportune in one or two respects. Only last year the taxes on corn, tea, coffee, and sugar, amounted to £10,000,000 sterling; but, owing to the policy of the present Liberal Government, the right hon. Gentleman the Chancellor of the Exchequer had been enabled to take off £3,500,000 from the tea, coffee, and corn duties, and it was much easier to deal with the £6,800,000 now remaining, than with the amount at which the duties stood before; and, next year, they were told that the re-payments on account of the Abyssinian War would cease, and that a larger sum would be required for the carrying out of the Army Regulation

Bill, so that Parliament would be in a worse position for meeting this proposal next year than they were in at present. If it were true that the manual-labour classes of the country actually paid their fair share of taxation, and no more—which he entirely denied—he should still be in favour of removing taxes on necessaries, which pressed so heavily on women and children, and re-adjusting them on the shoulders of men who were much better able to bear them; and he would have no great objection to see the difference made up by adding to the taxes on malt and beer, and to make the taxes on all alcoholic liquors proportionate to their alcoholic strength. He did not wish to increase the duty on beer—he should even think that an unnecessary and a wrong policy—but so strongly did he feel the injustice of these taxes on the necessaries of life, that if there were no other way of arranging the matter, he would transfer these taxes to beer, or some other commodity used by the working classes. A great many of those who advocated the remission of these taxes on the necessaries of life, advocated also the repeal of all indirect taxation; but he contended that nothing would tend more to prevent the destruction of these large sources of revenue than the repeal of these taxes on necessaries. It was because the taxes on the necessaries of life were so unjust and oppressive upon the working classes, that they risked the whole cause of indirect taxation, and he would be prepared to accept the repeal of those taxes as a final settlement of the question between direct and indirect taxation. He would not be inclined to remit the taxes on spirits, tobacco, wine, or beer, for they were taxes which were voluntarily imposed by the people upon themselves. Some people contended that the taxes upon tea, sugar, and coffee were not taxes upon necessaries of life; but that objection was sufficiently met by the fact that tea, coffee, and sugar were universally given in every workhouse in the United Kingdom, which showed that those commodities were considered by medical men, and also by the taxpayers, to be necessaries, and not luxuries. Now, a "free breakfast table," as it had been called, would cost nominally £6,800,000; but the recuperative power of the Revenue would reduce that amount to £4,500,000 at least, and that balance might be met in various ways. In the first place, it might be met by suspending the Sinking Fund or Terminable Annuities, and by a slight re-adjustment of the licence duty on dealers in spirits and tobacco; or it might also be made good without even suspending any portion of the Terminable Annuities. The duty on tobacco was now 3*s.* 2¼*d.* per pound, and on cigars 5*s.* per pound; but if the tobacco duty were raised to 4*s.* and the cigar duty to 8*s.*, that would bring in £1,500,000. It was said that such a change might lead to smuggling; but the same objection was urged against the raising of the spirit duty, and yet that objection was not verified by the result, and the duty on cigars in some of our Colonies was 5*s.* per pound, and in a large country like New Zealand, with a long coast line, it would be much more difficult to prevent smuggling than in England or Ireland. Another means of making up the deficiency would be by the re-adjustment of publicans' licences on spirits and tobacco according to rental. At present, a publican rented at £10 paid a £5 licence, and he could not see why a publican rented at £200 should not pay £100 for his licence, but as a matter of fact he only paid £17; and, in connection with this subject, he could not see the least reason why clubs should be exempted from the duty of taking out a licence. Then, again, the licence duty on grocers was at present of a prohibitory character; for while a publican rented at £10 paid a licence duty of £5, a grocer was taxed £28 for selling the same quantities of the same commodity, which was a monstrous injustice and a premium upon the publican as against the grocer, and by putting the grocer upon the same footing as the publican, they would do what was right for the grocer and for the interests of the public, and they would diminish drunkenness and make the solution of the licensing question very much easier. He estimated that the increase from this re-adjustment of the licensing duty would amount to £1,500,000, as the expenses of collection would be materially decreased, and a much larger sum would be derived from taxing grocers at the same rates as publicans. There was still another source from which this deficiency might be met, for it was said that the French Government meant to give notice of their intention to abrogate the Treaty with England,

and in that case, it would be fair and right to raise the duty on wine to the same rate, in proportion to alcoholic strength, as the duty on spirits, and he could see no reason why wine, the beverage of the rich, should be taxed more lightly than spirits, the beverage of the poor. The amount of alcoholic strength should be taken as the standard for taxation, and by that means £2,000,000 would be added to the Revenue. In addition to the means he had already stated, another 1*d.* might be added to the income tax, thus making up the whole deficiency. It was objected that an addition of a penny to the income tax would be oppressive to the lower middle class with incomes up to £200 a-year; but with the deduction of £60 from their taxable income, their quota of tax on the extra penny would only be 11*s.* 8*d.*, and they would save four times as much as that by the remission of the taxes on the breakfast table. Up to incomes of perhaps £1,000 or £2,000 a-year, any person accustomed to having a large household would find that the additional penny of income tax would be more than re-couped in the saving of the tea and sugar duties, and this arrangement would, therefore, benefit every man in proportion to his poverty and the number of his family. The incomes of the income tax paying class amounted to about £400,000,000 a-year, while the incomes of the manual-labour class had been variously estimated by eminent authorities at from £200,000,000 to £400,000,000 sterling; taking them at £300,000,000, however, it would be found that while the income tax-paying class paid about £60,000,000 a-year in taxes, including local taxation, the manual-labour class paid about £30,000,000; but the manual-labour class really paid, in addition, a considerable share of local taxation of the country, and the reduction of the tea and sugar duties might be made without disturbing the equilibrium of the taxation of the two classes. Another advantage gained by removing these duties would be found in the stimulus given to the production of beet-root sugar in this country, where there were many places well adapted for producing it, but where it never would be produced so long as these taxes and the Excise duties remained as they were. The operation of the present differential duties on sugar was most injurious, encouraging the lazy, unprofitable, and old-fashioned mode of cultivation, and some better plan ought to be adopted. Then the removal of the tea duties would increase our trade with China, which was one of our best customers; while the remission of the coffee duties would do the same thing in regard to Ceylon and other places. It was said that if we had "a free breakfast table," the manual-labour class would only spend more on spirits and tobacco; but it should be remembered that there were 1,000,000 widows in the kingdom and several million children, who did not smoke or drink, and they would derive immense benefit from such an alteration. Many people found fault with the working classes for their want of thrift, their drunkenness, and their other vices; but from his experience in the East-end of London and among the poorer classes of his own neighbourhood, he had the highest opinion of their moral virtues, and, considering the trials to which they were exposed, he thought they had nothing to fear in a comparison with the rich. If there were a larger amount of drunkenness among the lower than among the upper classes, that was only a recent matter; for many hon. Gentlemen could remember the time when drunkenness was at least as prevalent among the upper as among the lower classes. Again, he was of opinion that increase of drunkenness had been due very much to the neglect of Parliament, who had allowed our present abominable licensing system to go on for so long, and permitted magistrates to license publichouses, in some localities at the rate of one for every 40 or 50 of the population, while in other districts they only allowed one for every 1,000 or 2,000 of population; and, for his own part, he very much regretted that the Army Regulation Bill had not been sacrificed instead of the Licensing Bill in this year's "massacre of the innocents." Another reason for the faults of the working classes was their want of education; and although this country had had the example of Scotland for 200 years before her, it was not until last year that any large educational scheme was carried out in England. As to the alleged want of thrift among the working classes, he had been astonished at the returns of the benefit societies, which showed what enormous sums the working classes saved in proportion to their means. He did not believe that the upper classes saved anything like as much in proportion. In conclusion, if he wanted a higher authority for what he had stated, he found it in the Sacred Volume, where it was stated how difficult it was not for the poor man, but for the rich to enter the kingdom of Heaven. The working classes owed deep thanks to the Chancellor of the Exchequer for having so materially reduced the taxes on the necessaries of life, and he hoped the right hon. Gentleman would go further in the same direction, and then at the close of his career he might apply to himself the noble words which Sir Robert Peel applied to himself on a similar occasion—

> "It may be that I shall leave a name sometimes remembered with expressions of goodwill in the abodes of those whose lot it is to labour, and to earn their daily bread by the sweat of their brow, when they shall recruit their exhausted strength with abundant and untaxed food, the sweeter because it is no longer leavened by a sense of injustice."—[3 *Hansard*, lxxxvii. 1055.]

THE CHANCELLOR OF THE EXCHEQUER*: The hon. Gentleman the Member for Brighton (Mr. White) moves in substance that it is expedient to arrest the payment of the National Debt in order to reduce considerably the taxes paid by the working classes on sugar, tea, and coffee. It is a large subject, quite sufficient in itself to occupy the attention of the House, and that must be my excuse for not following the remarks of the hon. Baronet the Member for Caithness (Sir Tollemache Sinclair) in detail. It appears, however, that the hon. Baronet contemplates our surrendering £6,800,000 of Revenue, making up this amount from two sources—by a penny income tax besides the additional 2*d*. just imposed, and by means of what he calls the recuperative power of taxation. Now, I gather that the hon. Baronet is a strong advocate of temperance; but if he takes off the taxes on tea, sugar, and all those necessaries of life on which the working classes now pay, and expects that taxation will be recuperative, in what way does he suppose that the working classes will then contribute to the Revenue? Why, they can do so only by adding more to that which is too much already—they will buy more beer and more spirits.

SIR TOLLEMACHE SINCLAIR said, he had attempted to show that if the taxation was not fair as between the manual-labour class and the income tax-paying class, the tax on beer might perhaps be augmented to a rate more commensurate with its alcoholic strength.

THE CHANCELLOR OF THE EXCHEQUER: I do not think the hon. Baronet has met the point I have raised. If the taxes on tea, coffee, and sugar were removed, the recuperative power of taxation could only be shown if the working classes consumed more beer and more spirits and more tobacco, for in no other way could they contribute to the Revenue. I turn now to the hon. Gentleman the Member for Brighton, who has accepted the challenge of the right hon. Gentleman the Prime Minister, but I think has scarcely done justice to his theme. His Motion being in substance a comparison of the relative advantages of a further remission of taxation in favour of the working classes, and the repayment of a portion of the National Debt, it devolved on him not merely to show that a hardship is now inflicted on the working classes, but to make a comparison between the relative advantages to them and to the rest of the community of the remission of taxes to them, and the payment of Debt, and this he has entirely failed to do. He has carefully avoided the subject of the advantages and disadvantages of paying off the National Debt. It is easy to say that these taxes bear hardly on the poor. Of course they bear hardly on the poor, as taxation bears hardly upon all classes. It is easy also to say that if you take so much money from the payment of Debt, you will have so much left with which to make a remission of taxes in favour of the poorer classes. But what the hon. Gentleman the Member for Brighton failed to show was that, weighing the two things in a fair and impartial balance, it was for the interest of the nation that the payment of Debt, at the moderate rate at which it is now proceeding, should be arrested, and the funds thereby acquired should be appropriated in remitting these taxes. The hon. Member did not therefore satisfy the conditions he undertook to satisfy in the Motion he put down. I will endeavour, so far as I can, to answer, not so much the speech which he has made, as the speech which I think he ought to have made, and which should have put forward all the arguments against paying off the National

Debt out of taxation which have been put forward, for instance, by Mr. Laing, formerly in this House, and more lately in a letter he has written to the newspapers. As the matter has been much canvassed, I shall state why I think on the other hand that, happy as we should all be to lighten the taxes on labour, it is still more important not to relax our efforts in reducing the National Debt. The subject is of enormous importance, and though I rather gather that the House is not in favour of the Motion of the hon. Gentleman the Member for Brighton, it is my duty, not having before trespassed at very great length upon the House in treating this subject, to ask their attention now for some little time while I give the reasons which induce me to believe that the outcry for intermitting the payment of the National Debt is not one which should ever succeed. I begin with a few general propositions respecting the Debt. And first I may point out that the payment of the National Debt is often treated as if the country were for the first time called upon to bear the burden of the outlay when it pays off the Debt. That is an entire mistake. The country has already spent the money. The National Debt is mainly held in the United Kingdom, and when the expenditure was incurred which was met by this Debt, that expenditure was made out of the wealth of the United Kingdom. The question is not as to the principle, which is gone, but as to adjusting the burden of its repayment between the persons inhabiting this kingdom. Now, the wealth of the kingdom consists of the wealth of the permanent residents in the kingdom. At present the general taxpayer is bound to pay annuities to the fundholders representing those who originally lent the money, and can also go into the market and buy up their rights. Should such a transaction occur it would, no doubt, transfer money from one part of the community to another, or rather from the community considered as a whole to certain smaller classes of the community who hold these securities against the Government. The effect, therefore, would be merely a transfer of money from one portion of the community to the other. The nation would be made neither richer nor poorer by the operation. One portion would receive, instead of the annuity, the value of the annuity; the other, paying the value of the annuity, would acquire the privilege of no longer paying the annuity. It would be a perfect equivalent on both sides. It would be different, of course, if the main part of the Debt were held out of the country. But as it is the resources of the country remain the same, neither more nor less. Now, what analogy can we take to guide us in this matter? In private life, when a prudent man is in debt, he sets himself to work to pay it off. He considers that, as a general rule, the best investment he can have for his money is its appropriation in the payment of his debts. But in private life that rule is not without exceptions. If he has only distant relations, and if his income is not more than enough to meet his wants, he may consider it unnecessary to burden himself with the payment of debt for the benefit of those for whom he has no particular regard or affection. Again, he may have his money invested at so high a rate that it would be a considerable loss of income to take his money from those investments and apply it to the payment of debt on which he may be paying only a low interest. But these two conditions do not apply to the State. The State ought to be looked at as a whole. We ought to look at it as one great undying corporation, of which we are all members, and to the life of which there is no probable termination, like an animal of enormous longevity—an antediluvian patriarch. Therefore, the considerations that apply to individuals do not apply to the State. It is not for distant relatives, but for the nation as a whole, that we are acting in this matter; and we are bound to consider its interests in a manner very different from that in which a private individual is bound to consider the interests of a remote heir. As regards investment, no Government ought ever to be trusted to speculate with public money, and there is no absolute security against speculation that I know of, after money has once been raised, except investment in our own public securities. There is a solidarity between the whole of the individuals composing the nation at one time and those who have formed and will form it from the first to the last of its career which nothing can dissolve or break, and we ought not to regard this matter from the point of view of our own present individual interests; but we ought to think and act for the nation, for whom we are for the moment trustees, soon to be replaced by others who will come after us.

Having stated these considerations, I would now point out to the House the advantages that would result, speaking generally, from the payment of a considerable portion of our Debt. One clear advantage would be that we should raise the value of our Debt in the market, so that if we were ever again called upon to borrow we should do so on better terms. The hon. Baronet the Member for Caithness (Sir Tollemache Sinclair) has pointed out that the Debt is now much lower in price than it was some years ago, and doubtless that is true; but the cause of its now being lower is not a matter that we should regret in itself, because it arises from an enormous extension of the sources of investment, for there are now many more means open for the lucrative employment of money than there were 30 years ago. These means have naturally competed with our Debt and drawn the money elsewhere; but if we were to pay off a considerable portion of the Debt, there is always a certain quantity of money that would wish to find its way into that very best of all possible securities which our Debt affords. If, therefore, we could make a sensible reduction in that Debt we should certainly increase the competition for it and raise its value; and if that operation were carried on with spirit and success, it might be continued up to a point at which we need not despair, even after a considerable amount had been paid off, of seeing that Debt again at par. Looking to the competition which now exists, it is not likely to be done while our Debt is at its present enormous amount, but supposing that it was diminished by a considerable portion, I think it very possible that the competition of persons who think it more desirable to have their money in perfect security rather than at a high rate of interest, might raise the Debt to par; and raising and maintaining the Debt at par is the only way to give the nation the relief of a reduction of interest. Then there is another point of enormous importance. It has been argued that there is no occasion to pay the Debt, because, as the hon. Baronet said, it will pay itself. Unfortunately, however, Debt does not pay itself. If the mere growth of wealth and population really paid the Debt, that would remove one of my greatest objections to leaving it at its present amount, without making any effort to pay it off. But the Debt remains by the supposition a constant quantity, and relative increase of wealth implies the possibility of relative diminution. That argument assumes that we are to count on perpetual and uninterrupted prosperity, and that we are not to expect a time when we shall again be called upon to borrow, or when we may find ourselves in difficulties. Nothing could be more foolish than such a dream as that. I suppose that no country ever had a fairer or brighter prospect of peace, tranquillity, and prosperity than England had when Mr. Pitt concluded his Commercial Treaty with France in 1785. We had settled our differences with America; we were at peace with all the world; the steam engine had just begun to assert its power; we had made a Commercial Treaty with France, and everything seemed as if we were entering on an era of prosperity. Yet we were on the eve of a war which was by far the most dangerous, the most difficult, and the most expensive in the history of all the long wars we ever went through, and one which left us a legacy that our latest posterity is not likely to forget. Therefore, there is no more foolish presumption than that we need not attempt the reduction of our Debt because we shall outgrow it. We are bound to consider that we live in an age when our destiny is not under our own control. The very agglomeration of mankind into large States by the adoption of the federal principle to a greater extent than has hitherto prevailed is in itself a source of danger. It is no longer a combination of various Powers which we have to dread—a combination which might be broken up, owing to their discordant interests or by the dexterity of diplomatists; but we have now single Powers of such magnitude and force that any one of the three or four that could be named might put this country to the necessity of incurring very heavy expense and serious danger. It must also be considered that there is always a point up to which a country can borrow with facility, if its credit is good. There is another point at which it can borrow at enormous sacrifices and with great difficulty, and then at last there comes a point at which it can no longer borrow at all. Take the present case of France, which is now called upon to make an enormous effort to borrow in order to pay the tribute which Prussia demands, and to meet her own expenses in consequence of the war she waged against Prussia, the civil war which followed, and the losses which she has sustained. It may be, and I dare say it is so, that France will be able to borrow this money; but think with how much greater facility, and on how much better terms, she would have been able to borrow it if she had not begun with £550,000,000 of Debt. How came £350,000,000 of that Debt to be incurred? Mainly by adopting the kind of policy of which the hon. Baronet has spoken. In a time of peace, abundance, and prosperity, instead of balancing her revenue and expenditure, instead of carefully avoiding an increase of her liabilities, she went on with a deficit from year to year, no doubt thinking that "to-morrow shall be as to-day, and even more abundant." That is a warning which this country cannot too much lay to heart. It is our duty to reflect that we may be called upon to make immense sacrifices, and that we should be ill able to make them unless we diminish our immense mass of Debt. I will also venture to say that the power of every country to maintain peace—which I take to be the desire of us all—depends mainly on the opinion that is held of it by foreign nations; and there is nothing so likely to give a favourable opinion of this country, of its strength, its prudence, its wealth, its foresight, of all that makes a nation respected and feared, as the fact that now, in the fulness of our prosperity, we do not allow ourselves to be enervated or relaxed by the ease of too fortunate times, but that we look forward carefully and prudently to a time—and we know not how near it may be—when the present condition of things may change, and when we may be called upon, as we have been in the course of our history, to contend for our very existence. It must be remembered that we in England are not wont to put things on mere abstract grounds. I appeal to the traditionary policy of England in this matter. The hon. Gentleman the Member for Brighton asks us to suspend the payment of our Debt, and in doing so he asks us to violate all the traditions which have prevailed in England since this country has had a Debt. Our Debt began in the reign of William and Mary, and for a long time the contracting of it was always accompanied by some provision for a sinking fund in order to pay it off. The words "Sinking Fund" have now an evil reputation, and the fashion is to sneer at the idea. But there are two kinds of sinking funds, against one of which too much evil cannot be said. Any complicated device which seeks to persuade people that they can pay off their Debt by any other means than that of providing a large excess of revenue over expenditure is vain, and all those devices which amused and deluded our ancestors have now been thoroughly exploded. But there is a sinking fund of another kind—one which aims at laying hold of the excess of revenue over expenditure, and devoting it to the payment of Debt, and that is one against which there is nothing to say, except that it may be confiscated to meet the wants of a profligate Minister. That objection is entirely obviated by depriving it of the nature of a fund, and reducing it to a yearly payment devoted as soon as raised to the payment of Debt, in fact to a Terminable Annuity. From the Peace of 1815 to the present time we have never ceased to have Terminable Annuities in the nature of a sinking fund, by which not only the interest of the Debt has been paid, but capital has also been sunk or absorbed. The traditionary policy of England is to have some contrivance of the kind, and it has gone on ever since the Peace of 1815, when the Debt of this country amounted—according to Mr. Dudley Baxter—to £902,000,000. From that time to the present we have paid off £177,000,000, but we have re-incurred £77,000,000, of which £20,000,000 was for the liberation of the slaves; £34,000,000 was for the Crimean War, and another considerable sum was on account of the Irish Famine. At the present moment our Debt, including the capital represented in Terminable Annuities, stands at £796,000,000, and I should like to ask the hon. Gentleman the Member for Brighton whether he thinks that this country would have done more wisely if it had refrained from paying off that £177,000,000? Would the working classes, for whom he feels so much sympathy, have been in a better position if this country had been saddled with that amount of Debt, which would not have been paid off if his policy had been followed? It seems to me that no persons have a greater interest in the reduction of the Debt than the working classes themselves. I would just notice, in passing, two remarks that the hon. Gentleman the Member for Brighton has made about me. He spoke of my having been "uncandid," though I did not intend to be so, with regard to the Return as to the £10,000,000 of Debt which I stated had been cancelled during these years, and he says I ought to have gone into detail on the subject. In making a financial statement there is hardly any limit to the detail into which one might go, but such speeches always draw themselves out to a sufficient length without importing anything that can be helped. This Return, relating to the quantity of Debt cancelled, is made out exactly in the terms in which it was asked for. It is quite true that you take about £4,000,000 from Chancery, and £2,000,000 from Bankruptcy, but it is also true that that amount of Debt has been cancelled; and therefore the statement of the fact could not be avoided. Nor is it the case that the money so apapplied to reduce the Debt is the money out of which the salaries in Chancery are paid, for they are paid from another source. It is to the Fee Fund of the Court of Chancery that we looked for paying the Chancery salaries; but that Fee Fund is now paid into the Exchequer, and the salaries are placed on the Consolidated Fund. No doubt we have given a book Debt bearing no interest for the amount now used in buying up and cancelling Stock; but it is not the less true that we have cancelled £6,000,000 of Stock from sources which we shall never have to replenish. According to the Return, the Debt has been reduced in the years referred to by £17,000,000; but from that amount must be deducted £7,000,000 of Debt incurred for the Telegraphs. The Telegraphs, however, not only pay interest, but are beginning to furnish a sinking fund, which will abolish, in course of time, the capital of that Debt. Consequently, that item does not burden the country in any way. I have had nothing to do in drawing up or "cooking" the Return in question, or I should have been justified in taking more credit to myself. That is what I have to say with respect to the National Debt; and now I come to the alternative suggested by the hon. Member, that in preference to continuing the paying off of the National Debt we should reduce the duties on articles consumed by the poor—such as tea, sugar, coffee, cocoa, but not tobacco. The hon. Gentleman talked of the severe pressure upon the poor of having the necessaries of life taxed, but the expression "necessaries of life" is a mere question of words. One portion of society considers as necessaries of life articles which another portion does not think so. I do not object to the hon. Gentleman calling tea and sugar necessaries of life, but the mere calling them so does not make them so in the sense used in taxation. What is meant in reference to taxation by the phrase "necessaries of life" are the things required for the support of life. The shilling duty on corn amounted to a tax, in regard to wheat and the cereals entering into the composition of bread, of 2½ per cent on the bread of the poor; and when we hear so much of the hardship of a 2½ per cent income tax, it cannot be thought, I think, an unworthy act to have taken off the 2½ per cent tax on corn, which was in the strictest sense a tax on the necessaries of life. The hon. Gentleman considers that the duties on tea and sugar should be taken off altogether, as being necessaries of life, but that the poor should continue to pay the duties on stimulants and on tobacco. Such a course of proceeding would be tantamount to declaring that those of the working men who had no taste, or but little taste for stimulants, should pay no taxes, or be but slightly taxed. Nothing could be more dangerous than such a doctrine. As the electoral suffrage is now settled, the householders of the country have an influential voice in electing those who are to make laws for the country, and if it were made optional for them only to be taxed according as they consumed certain luxuries, the effect would be that you would have one set of persons empowered to impose taxes, while another set of persons would have to pay them.

The poorer classes would tax the rich, while they themselves would be exempt from the burden of taxation. An inhabitant of New York once complained of the course pursued by the inhabitants of New York in electing persons who spent millions of the money of the city without having anything to show for it, and added that if they elected honest persons the money would be more beneficially expended. The person to whom this observation was addressed replied —"What is it to us? It is you who pay, and not we." The same would be the case here if the proposition of the hon. Member should be adopted; for then a privileged class would be created, and you would not have the only satisfactory check on their mode of imposing taxation. The adoption of such a proposition would also have prejudicial effect on the capital and resources of the country to an extent that can scarcely be conceived. If you are going to destroy all indirect taxation, where are the resources to come from to enable you to meet the requisite payments on account of the Debt, and to provide for the necessary expenditure of the country? It would hardly be possible to have a revenue sufficiently elastic to meet the burden of the public necessities. The Debt would remain, but the sources from which it is paid would be absolutely exhausted. If the tea and sugar duties were abolished, would any man believe that any Government would be able, even in the case of an extreme and pressing necessity, to re-impose them, and, if not, would not that by so much strike at the power of the country to meet the exigencies which a great nation like this is continually subject to? The result would be that, whenever any great demand had to be made on the resources of the country, it must be made by direct taxation, and that up to a point making it most oppressive to those who had to pay the taxation, and a greater evil also to the poorer classes than if they had to pay a certain portion of the amount required. If you try to carry direct taxation beyond certain limits, capital will make wings for itself and fly away. The idea seems to be based on the popular delusion that labour and capital are antagonistic. What is the great advantage of capital to a country? It is not the opulence of the few people who are nominally the owners of it, and can enjoy but a certain portion, but it is the fund out of which the great mass of the people are maintained. Therefore nothing could be more impolitic than to drive capital out of the country by any heavy system of taxation; and it would be far better for the interest of the working classes themselves that they should continue to pay a moderate duty on the *quasi* necessaries of life than that that credit by which this country alone exists, in its artificial state of society, should be destroyed.

I think I have shown the House very strong, indeed insuperable, reasons why this country should not give up the duty of reducing the National Debt; and I trust it will never allow itself to be persuaded to break down the system deliberately sanctioned by Parliament when the necessity for doing so is not urgent and overwhelming. It is very easy to sneer at these Terminable Annuities, and to say that it is only the Chancellor of the Exchequer lending to the Chancellor of the Exchequer. In one sense, that is the case. The Chancellor of the Exchequer, as borrower, is the representative of the people of this country; as lender, he is only one of the Commissioners for the Reduction of the National Debt, lending the money of the savings banks on security given to them. If you interrupt the system of Terminable Annuities you tamper, in a manner most injurious to the rights of the public creditor, with the security on which the money of the savings banks has been lent. I am satisfied that no more grievous injury could be done to our credit than to take advantage of the fact that we are trustees of the money of the savings banks, in order to withhold from them the payment we have deliberately covenanted to give, in order to apply it to the Ways and Means of the year. As I read the Savings Bank Acts, the depositors have no security but the Stocks in which their funds are invested. There is no book debt, as in the cases of Chancery and Bankruptcy, to make up the possible deficiency. It makes no difference when you take the money, which you are bound to pay the depositors, and apply it to your own use, whether you do it through the intervention of a trustee, or directly, as in the case of ordinary life annuities—you may call it a change of security—I call it a misappropriation of the funds of a public debtor for the use of his creditor. You may call it a change of security—I call it a default in paying what is legally and justly due. Having, therefore, shown that there are excellent reasons why, taking the nation in a corporate capacity as a whole, we should go on paying off the National Debt, and having also shown that there are good and substantial reasons why we should not wholly relieve the working classes from taxation. I should now like, if the House will allow me, to say a few words on another aspect of this subject, on which I have collected some statistics, which I am persuaded will be found to be not without interest, and the effect of which will be to exhibit the most remarkable evidence of national prosperity which the world ever saw. For this purpose I take three periods in the present century—1825, 1850, and 1870-1—and apply certain tests of public prosperity to these different periods. The total amount of funded and unfunded Debt was, in 1825, £809,831,468; in 1850, £787,029,162; and, in 1870-1, £737,400,237. The total payments for interest, &c., of Debt, including Terminable Annuities, were, in 1825, only 10 years after the war was over, £30,205,268; in 1850, £28,297,583; and, in 1870-1, £26,826,436. So that at this period, when we are invited to stop our payment of Debt and apply the money to the reduction of taxation or to the service of the year, we are actually paying nearly £4,000,000 annually less for the charge of the Debt than in 1825. I must beg the House to bear that in mind, because it will show how different was the position of the country in 1825, and how much more heavily this burden bore upon it then than it would do now. The population in 1825 was 22,281,000; in 1850, 27,523,000; and, in 1870-1, 31,437,000. So that when the population was 22,281,000 we were paying £30,205,268 as the annual charge of the Debt; and now that the population is 31,437,000 we are paying only £26,826,436; and yet that is called a burden too heavy to be borne. The Revenue raised by taxation, direct and indirect, including the Post Office, Telegraph, and other payments into the Exchequer, fees in the Courts of Justice, &c., which cannot fairly be called taxation, being payments for which service is rendered, and miscellaneous receipts which are in the nature of a repayment; deducting these, the Revenue raised by taxation was, in 1825, £54,869,654; in 1850, £54,079,243; and, in 1870-1, £60,472,114. The population had increased 9,000,000 since 1825, while the Revenue raised by taxation had increased in the same period by only £6,000,000. Dividing the amount of taxaton by the number of the population, we get the rate calculated per head. The rate of taxation per head—that is, under that particular class of revenue, not on the whole, was—in 1825, £2 9*s.* 3*d.*; in 1850, £1 19*s.* 3*d.*; and in 1870, £1 18*s.* 5½*d.* The receipts other than revenue raised by taxation were—in 1825, £4,893,396; in 1850, £3,440,727; and in 1870-1, £9,473,106,—so that these receipts are double what they were in 1825, and almost three times as much as they were in 1850; while it should be recollected that these payments may be said to cost the public nothing, being payments for service received. I now come to the consumption of the country; and, first, I take beer. The number of barrels consumed by the people of this country (England only) in 1825 was 7,995,973; in 1850, in the United Kingdom, 15,303,767; and in 1870-1, 25,889,743; and the consumption of each individual was, in 1825, in England, ·358, or about one-third of a barrel; in 1850, in the United Kingdom, ·556, or about one-half of a barrel; and in 1870-1, ·823, or four-fifths of a barrel. I now take the article spirits. The number of gallons of home-made spirits consumed in this country in 1825 was 18,928,342; in 1850, 23,862,585; and in 1870-1, 22,961,125, being a slight reduction, as the House will observe, on the consumption of 1850; but the devil loses nothing by that, because it is well made up by the consumption of foreign spirits. The quantity of foreign and colonial spirits consumed in 1825 was 1,317,671 gallons; in 1850, 2,229,063; and in 1870-1, 8,439,385 gallons; so that the consumption in 1870-1, adding foreign, colonial, and home spirits together, was considerably larger than that of 1850. The individual consumption of home-made spirits in 1825 was ·849 of a gallon; in 1850, ·867; and in 1870-1, ·730; and of foreign and colonial, in 1825, ·059; in 1850, ·081; and in 1870-1, ·268 of a gallon for each man, woman, and child in the country. If I take tobacco, the figures are still more remarkable. In 1825 the tobacco consumed was 16,832,826 lbs; in 1850, 27,553,236 lbs; and in 1870-1, 41,371,507 lbs. The income tax produced per penny, in 1850, £867,880; and in 1870-1, £1,520,000. The house tax yielded, in 1852, £727,026, and 1870-1, £1,129,125. The official value of the imports was, in 1825, £37,468,279; they had risen in 1850 to £105,874,607; and in 1871, the real value of the imports was £303,257,493, nearly trebling themselves in 20 years. The exports were in 1825 (official value), £58,935,252; in 1850 they had risen to £190,089,643, and the real value is now £244,080,577. The shipping inwards represented, in 1825, 3,102,730 tons; in 1850, 7,100,476 tons; and in 1870-1, 18,113,364 tons. The shipping outwards represented, in 1825, 2,699,514 tons; in 1850, 7,404,588 tons; and in 1870-1, 18,526,818 tons. That, Sir, is my account rendered of the state of the country. Then we are told we are so oppressed by taxation that we must give up the hope of strengthening the hands of the country and improving our financial prospects by continuing the very moderate reduction of Debt.

MR. SPENCER WALPOLE said, he must beg the right hon. Gentleman's pardon; but had the right hon. Gentleman any statement of the estimated increase of the income of the country?

THE CHANCELLOR OF THE EXCHEQUER: No, not exactly; but Mr. Dudley Baxter estimates it at £860,000,000, or about £60,000,000 more than the amount of the Debt. Such, then, being the state of the case, can it be said that penury, want of resources, want of means, are so very pressing as to force us to give up that system we have so long adopted for the payment of the Debt? The question remains, supposing it granted to me—and it can hardly be denied that it is for the interest of the nation that that system should be continued—the next question is, what is the interest, not of the nation, but of this generation? Is their interest really separate from that of the nation? Have we a right to say that, posterity having done nothing for us, we should do nothing for them? Have we a right to say that we have abundance, and are likely to enjoy abundance for the rest of our lives, and therefore we decline to put ourselves to inconvenience for the sake of those who are to come after us, no matter whether it is our duty to do so or not? The history of this country should be a sufficient answer to that. You say the country is prosperous, but that prosperity did not come of itself. It is the result of a long course of self-denial, which has not been equalled, certainly not been excelled, in the history of the world. All that we now enjoy is the fruit of the incredible toiling of countless generations, and is it to be said we are to come in for this rich inheritance and do nothing for our children? During the great war with France our ancestors were as prodigal of their money as their blood, at a time when money was far less abundant than it is now; they never thought, especially during the latter part of the war, of the pressure upon them, but were always ready, not only to bear their own charges, but to furnish to our foreign allies subsidies whenever they were wanted. Are we, then, in this period of prosperity, the like of which the world has never seen, to say we will do nothing for posterity? As Horace taught—

> "Non his juventus orta parentibus
> Infecit æquor sanguine Punice."

It will not be believed that we are the children of the men of Trafalgar and Waterloo if we satisfy ourselves with merely looking after our individual interests, simply because it is easier than to provide for the future welfare of our country, if we suffer ourselves to be persuaded to sit down in luxury—English luxury, as it is now called in France—and do nothing whatever in the spirit of those who expended their blood and treasure to earn for us this prosperity and tranquillity which we now enjoy. In France, the idol of the nation is glory, and a miserable idol it is; but a worse idol than that is the individualism and selfishness which lead a man not to consider public questions with respect to the community of which he is a member, or the interests of his fellow-men, but to confine himself within himself, and if he sees his way clear to pass his own life in tranquillity and ease, to be content to let others shift for themselves. That is the danger of this time. The sinews of public morality and public duty are relaxed when people encourage a policy of selfishness. We have always been in the habit of saying that, although France fought for glory, England fought for duty; and duty has been the mainspring of everything we have done, the agency that has raised this country to its present height. But if this is so, how must we regard those who say—"I have none but myself to think of; I care nothing for those who come after me; I happen to belong to a country which has been toiled for by past generations; I will enjoy to the full all the privileges that toiling has earned for me, and I will contribute nothing whatever to the common stock; I will not make a single sacrifice, or forego a single pleasure, in order to strengthen the country in the way in which she needs strengthening for the sake of posterity?" I beg pardon of the House for having taken up so much of its time; but I thought it necessary, as the unworthy representative of the financial policy of the Government, to make this protest against the feeling that seems to be gaining ground—that all we have to do is to make things easy for the present, and disregard alike those who came before us and those who come after us. That is not the way in which it came to be written, *Sic fortis Etruria crevit;* and if England is to maintain her position among the nations, it will be by following different counsel from that suggested by the hon. Gentleman the Member for Brighton.

Mr. W. FOWLER said, he heartily agreed with the general views of the right hon. Gentleman the Chancellor of the Exchequer, and although perfectly willing to pay far heavier taxes than were levied at present, if by so doing the National Debt could be reduced, he objected to a system of payment of Debt by Terminable Annuities, because the advantage resulting from that payment was not felt by those who made the payment, but by the taxpayer of the future. If Debt were paid off, the taxpayer who reduced the Debt should have the satisfaction of reducing the interest on Debt to be borne by him. In the case of America, which had been instanced, a reduction of £10,000,000 of Debt was followed by an immediate reduction of interest; but under the system of Terminable Annuities, those who this year paid an additional 2*d*. on the income tax would not get a single farthing benefit unless they chanced to live until 1885. It was no exaggeration to say that before 1885 the country would have saved an amount equal to the whole of the capital of the National Debt, and, under such circumstances, would be far better able to pay the interest on the Debt than it was at present. That was no argument against payment of Debt, but against deferring the advantages resulting from that payment. The proper way to pay Debt was to make provision in each Budget to cancel Stock. The only argument urged against this proposal was that the House was not to be trusted, and would invariably prefer to reduce taxation to paying Debt. Was there any justification for saying that the House of Commons was made up of a parcel of fools, who, being unable to trust themselves, were obliged to go through the "hocus pocus" of a system of Terminable Annuities? He objected to the Chancellor of the Exchequer's views respecting the contract the nation was supposed to have entered into. The nation had contracted with itself, and there was no reason for saying it could not contract from year to year. The Chancellor of the Exchequer had said the savings banks depositors had not the security of the nation for the money, but only the security of the Terminable Annuities. If he looked at the Act he would find he was in error; and if he were not it was high time the Act was amended, that the savings banks depositors should have the security of the nation. The Chancellor of the Exchequer had spoken of the contingencies of the future; but there was equal possibility that the future would be characterized by prosperity as by misfortune, and the chances were in favour of the presumption that the people of 1885 would be far richer than the people of the present. In opposition to the hon. Member for Brighton (Mr. White), he would prefer to reduce the Debt even to double the extent it was being reduced at present; but he protested against a system by which those who reduced the Debt did not get an immediate benefit from such reduction.

Mr. SINCLAIR AYTOUN said, he should support the Motion of the hon. Member for Brighton (Mr. White), and would point out that his hon. Friend's arguments were directed, not against the reduction of the National Debt, but against the carrying on of that process by funds supplied from indirect taxation, such as the Customs and Excise. He wished to call attention to some of the hon. Member's statistics. The hon. Member had taken the case of a working man whose income amounted to £65 per annum. He supposed that that working man, with a wife and two or three children, would expend 2*s*. 4*d*. per week in taxes, which would amount to £6 1*s*. 4*d*. per annum. In another portion of his speech the hon. Member stated that this same artificer paid an amount in the shape of taxes which might be considered equal to 2*s*. in the pound of income tax.

MR. WHITE: No, not that man.

MR. SINCLAIR AYTOUN: Another man?

MR. WHITE: Yes.

MR. SINCLAIR AYTOUN: Who was that other man?

MR. WHITE: I must explain. I stated, with reference to the individual whose case I had assumed, that 2*s*. 4*d*. was equal to him to 4*d*. in the pound of income tax: but I believe if we went through the whole category of the consumption of the working classes, it would be found that the working class, as a class, paid what was equivalent to 2*s*. in the pound to Government.

MR. SINCLAIR AYTOUN replied that he had misunderstood the hon. Member, who had taken the case of an artificer whose income was £65 a-year, and stated that the amount paid by that artificer to Government was equal to 2*s*. 4*d*. per week. [Mr. WHITE: Not to him.] Very well; that showed how difficult it was to enter into this question of statistics in a general discussion. The hon. Member had stated that such a man and his family spent 2*s*. 4*d*. a-week in taxes, and then he stated that artificers in general would spend a sum equal to 10 per cent of their income; but he had not taken the same standard in both cases, and that showed the difficulty of discussing such subjects in that House without having the figures before them. The hon. Member would better promote the object in view by moving for Returns to find out the taxation of the different classes of the community. He had seen statements made by societies whose object was to obtain a repeal of direct taxes which seemed to him to be entirely irreconcilable with the facts which came under the notice of everybody. He wished to make one remark in reference to a statement of the Chancellor of the Exchequer. The right hon. Gentleman had stated that if we redeemed the Terminable Annuities we should be breaking faith with the deposits in the savings banks; but nothing could be more entirely inconsistent with the fact. When the First Lord of the Treasury introduced the scheme for converting the Debt into Terminable Annuities, he stated that whether there was a profit or a loss on the investment, we still owed them the money they had deposited. There could not be a doubt that the security of the depositors in the savings banks was entirely independent of the mode in which the money was invested.

MR. RYLANDS appealed to his hon. Friend the Member for Brighton (Mr. White) not to divide the House on the question.

MR. WHITE said, he would withdraw his Motion.

Amendment, by leave, *withdrawn*.

ARMY—SUPPLY OF POWDER.

MOTION FOR A PAPER.

COLONEL BERESFORD, in rising to call the attention of the House to the insufficient supply of R.L.G., Pellet, and Pebble Powder, and to move an Address for Copies of the Report of Colonel Campbell (the Superintendent of the Royal Gun Factories), as to experiments made with the 35-ton Gun with ordinary and with pebble powder; and of the Chief Superintendent of Waltham Abbey (Colonel Younghusband's Report), dated the 4th day of March 1869, said, that in February last he had placed a similar Notice on the Paper, but shortly afterwards the subject had been brought forward in "another place;" but in consequence of the unsatisfactory reply which had been given to the noble Earl (the Earl of Carnarvon), who had there introduced the subject, he had placed the present Motion on the Papers of that House. He would give the House a short history of the manufacture of gunpowder for some time back. About 1825 there were three Royal gunpowder manufactories in this kingdom—namely, at Waltham Abbey and Faversham in England, and Balincollig in Ireland. About that period the idea seemed to have got abroad that there was a prospect of a durable peace, and it was canvassed whether it was not desirable to dispose of one or more of these factories. Under the auspices of Lord Liverpool's Government, Faversham and Balincollig were sold in 1828, at a nominal price. The result of the course taken was, that in 1840 the supply of gunpowder was so sensibly diminished that it was found necessary to resort to private manufacturers in order to get a supply, and contracts were accordingly entered into for getting an annual supply of powder. This system of contracts had been carried on ever since in a very partial and imperfect manner. When the Russian War broke out in 1854, the stock of serviceable gunpowder had been reduced to 125,000 barrels; and here he might be allowed to refer to a Report on the Table of the House, in which that quantity was alluded to as if it were the proper stock that ought to be on hand. But that Report did not point out, as he contended it ought, that the quality was of a very inferior description. In consequence of the outbreak of the Crimean War large contracts were entered into with manufacturers in this country, in Prussia, in France, and also in America; but one contract had been cancelled at a cost of £20,000, and a large quantity of foreign powder had been sold at a loss of 50 per cent. In 1866 a Committee on Gunpowder recommended the introduction of pellet powder. In 1867 that recommendation was confirmed and adopted, and the Secretary of State for War for that year sent instructions to the factory at Waltham Abbey to prepare machinery for the manufacture of this powder. An interval of two years had occurred before anything had been done, not in consequence of any discussion going on, but because the machinery could not be made to manufacture pellet powder. In 1869 the right hon. Gentleman the Secretary of State for War referred the whole question of the best sorts of powder to a carefully selected Committee of experts, and that Committee on Explosives reported, in 1870, in favour of the adoption of pebble powder for all rifled guns and guns over 7-inch calibre. The Committee stated, in their Report, that the L.G. and R.L.G. powder was well worthy of the reputation it had obtained on the Continent. They spoke of pellet powder as far more moderate, and of pebble powder as decidedly a milder form of powder. In 1870 pebble powder was adopted as the proper powder for rifled guns. The estimate for 1870-71, for the purchase of powder from private manufacturers which had been reduced in 1868 from 15,000 to 9,000 barrels, was still further reduced to 5,000, and the expenses of the factory at Waltham Abbey also dropped. Waltham Abbey, under Ministerial direction, had been subject to chronic changes, such as those which had taken place during the Crimean War, when it was worked both day and night, Sundays included. In 1869 the Surveyor General of Ordnance had entirely suspended the manufacture of powder at Waltham Abbey; and, again last year the right hon. Gentleman ordered the manufacture of powder at any cost. Now, there had been a great deal of well-founded alarm in the public mind as to the inadequacy of the supply of powder, notwithstanding statements which had been made calculated to mislead the public. He (Colonel Beresford) would, therefore, endeavour to put the subject as plainly before the House and the public as he possibly could. At the end of 1869 they had 6,500 guns, of which 800 were rifled guns; and there were 1,000 guns either manufactured, or being manufactured, on the improved rifle principle. According to Colonel Younghusband's Report, while 17,000 barrels of pellet powder were stated to be necessary, the stock in hand was nil, and the stock of L.G. was nearly 100,000 barrels more than was required. In 1868 the stock of powder amounted to 410,000 barrels, and in 1870 to about 300,000 barrels, and the latter quantity had been diminished since 1870. But four-fifths of that quantity of 300,000 barrels was L.G. powder, which had accumulated since the Crimean War, and was mainly obsolete, and not fit for rifled guns. Moreover, the stock of powder at Waltham Abbey was not in keeping with our annual expenditure. The consumption of powder in times of peace was 36,000 barrels a-year, and the consumption in time of war was 80,000 barrels. During the Crimean War the consumption had been 81,000 or 82,000 barrels in each year. In 1868 they ought to have had 260,000 barrels of pellet and R.L.G. powder, whereas there were only 70,000 barrels of

R.L.G. and no pellet powder, and at the present time they required a minimum of 200,000 barrels for the rifled guns. The House should remember that smooth-bore guns had gone out of fashion, and the charges of powder had been enormously increased, so that powder was much more rapidly consumed. For instance, the large 35-ton gun itself consumed one barrel a time each charge. The noble Lord in "another place" (Lord Northbrook), in replying to the Question which had been put to him, did not state what the consumption of powder was, and he had omitted also to state what the powder in stock consisted of. He (Colonel Beresford) had shown that the consumption was 80,000 barrels a-year, and he wished to repeat that four-fifths of the powder in store consisted of powder which had been condemned, and could not be used for our rifled guns. The noble Lord had called to his rescue on that occasion Colonel Campbell, who was Superintendent of the Royal Gun Factory at Woolwich, and Colonel Campbell had had the boldness to report—in the teeth of the Report of the Explosives Committee, and after the subject had been considered for something like two years—against the use of pebble powder; but when the House considered that pebble powder was so superior to other powder, that the velocity of a shot was increased 100 feet in a second of time, with a diminished strain on the gun, they could form their opinion of the value of Colonel Campbell's Report. He wished next to direct one or two remarks to the right hon. Gentleman the Surveyor General of Ordnance, and to state that in spite of the pressing necessity pointed out in the Report of Colonel Younghusband for an adequate supply of powder, the manufacture of powder had been entirely suspended at Waltham Abbey in 1869, at a time when war was considered imminent. And on what ground had that suspension taken place? That the superior powder would develop itself? Well, that superior powder had developed itself. He could not understand why the manufacture had been stopped, unless it was to carry out those doctrines of retrenchment which were now costing the country such a large sum of money. The right hon. Gentleman had stated in his Report that the L.G. powder was for all purposes practically as good as R.L.G.; but that opinion was in direct opposition to the Chief Superintendent of the factory, in his Report of March, 1869. Further, the Report of Colonel Younghusband did not advocate the increase of the store, and recommended that L.G. powder should be exchanged for 20,000 barrels of R.L.G., in proportion of three barrels to one, which surely showed the difference in value of L.G. and R.L.G. powder. Again, it was stated in the Report that there was no pellet powder on hand.

SIR HENRY STORKS asked what document the hon. and gallant Member was reading from?

COLONEL BERESFORD: From a Report made by the Controller General himself, in February, 1871.

SIR HENRY STORKS said, that he was not aware of having made any such Report.

COLONEL BERESFORD said, in that case, he would not quote any further from the Report. He believed, however, that he had satisfied the House that the supply of powder necessary for a particular class of guns was totally inadequate for their requirements; and, whatever the differences of opinion as to what was the best sort of powder, he maintained that the Government should have gone on manufacturing the best powder known at the time, instead of leaving the country in such a dilemma as they had done. His own opinion was, that the country should not be left in the hands of private manufacturers, and that they should have public factories capable of making 50,000 barrels a-year. He wished to make a remark or two as to the application of the five years' service rule to the Superintendent and Deputy Superintendent of the large manufacturing establishments at Woolwich, Enfield, and Waltham. It was owing to the break-down in our military system during the Crimean War, that it was determined that it was not desirable to maintain the system of continuing officers at their posts so long that they should become unable to do their work. It was also observed that the then existing system gave rise to jobbery and favouritism, and it was, in his opinion, properly determined that Staff appointments should terminate at the end of five years. This rule, however, should not have been applied to these large factories, which employed several thousands of men at a cost of £2,000,000 a-year. The duties of the principal officers in these factories were not military at all; they were purely technical duties, and it was perfectly obvious that the Government factories should be treated upon the same principle as private establishments were treated. The Chief Superintendent and Deputy Superintendent of these factories were, no doubt, officers in the artillery; but they were responsible for the expenditure of money, and for the way in which the work was carried out. They were, however, to be treated in precisely the same way as Staff officers, whose duties were purely military. He did not think that that was a reasonable mode of proceeding. He was quite sure that if any private establishment changed its principal man once every five years those establishments would very shortly come to grief. These officers to whom he had referred would require a considerable period of time before they could become well informed as to their duties, and surely they should not be sent to the right-about just when their knowledge and ability were beginning to tell in favour of the establishments that they were connected with. Upon these grounds he appealed to the right hon. Gentleman the Secretary of State for War to relax the "hard-and-fast line" in favour of these particular officers. He was informed that the Deputy Superintendent at Waltham Abbey (Captain Smith) had just been sent away. He had written a very able book upon the manufacture of gunpowder, which was so important and scientific a work it had been printed and published by order of the Secretary of State for War, and surely it was not wise to send such a man away, when it was well known that there would be a great pressure upon the department for a considerable period. In conclusion, he begged leave to move for the Address of which he had given Notice.

MAJOR ARBUTHNOT, in rising to second the Motion, said, he must contend that the recklessness of the Government in suspending the manufacture of gunpowder in deference to what he believed to be an unwisely economical policy, and in the teeth of the official protests of authorized and recognized authorities upon such subjects, would have seriously impaired our strength if they had been called upon some six months since to enter upon a war. He did not know what the quantity they had in store six months ago was, but one month ago, instead of having 300,000 barrels in store, which was the amount they always ought to have in times of peace, according to the best authorities on those subjects, they had only 281,327 barrels there. It was said that it was undesirable to spend money upon the manufacture of gunpowder until the best kind had been determined upon; but the same reason would apply to the manufacture of weapons of all kinds, and might even be urged against teaching their soldiers their drill, for it was always possible that a better system than the one now existing might be discovered. The second excuse urged by the Government was, that there is a large supply of L.G. powder in store, and that it is quite "good enough for all practical purposes" He did not say that L.G. powder was a bad powder, but it was bad compared with R.L.G., just as that was bad compared with pebble, and as L.G. was good compared with that which was manufactured in Abyssinia by Theodore. It was self-evident that they ought to increase either the dimensions of their one manufactory, or to establish another; and that they had to decide at once what was to be the class of gunpowder which they were to manufacture and to lay in a store of. For himself, he was convinced that it would be inexpedient at once to commence laying in a store of pebble powder. It was said it did not suit the 35-ton gun; but what powder did? He was told by those who had witnessed recent experiments that if the calibre of the gun was increased to 12 inches there was every probability of the powder suiting it far better. At any rate, pebble powder had been found successful in the case of guns firing charges ranging from 20 lbs to 85 lbs of powder; and there was no doubt that a greater increased velocity was obtained with less strain with this than with any other powder. For instance, with a 12-inch gun, R.L.G. attained a velocity of 1,168 feet per second as against 1,297 feet attained by pebble powder, being an increase of 129. With a 10-inch gun, the figures were 1,280 against 1,364; increase, 84. With a 9-inch gun, they were 1,338 against 1,420; increase, 82. With an 8-inch gun, they were 1,330 against 1,413; showing an increase of 83. With a 7-inch gun, they were 1,435 against 1,525; increase, 90. These figures, he contended, would amply justify the rapid manufacture of this powder. In conclusion, he begged leave to second the Motion of his hon. and gallant Friend the Member for Southwark (Colonel Beresford).

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of the Report of Colonel Campbell (the Superintendent of the Royal Gun Factories) as to experiments made with the 35-ton Gun with ordinary and with pebble powder; and of the Chief Superintendent of Waltham Abbey (Colonel Younghusband's) Report, dated the 4th day of March, 1869,"—(*Colonel Beresford,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR HENRY STORKS said, there would be no objection to produce the Papers moved for; and he was also glad of the opportunity to offer some explanations on a subject on which there had occurred some misunderstanding, not to say mis-statements, last autumn. The hon. and gallant Gentleman the Member for Southwark (Colonel Beresford) had stated pretty accurately the qualities of powder we had; but the Report he had quoted was one made by the Director of Artillery, which was lent by himself (Sir Henry Storks) to the hon. and gallant Gentleman for perusal, but which it was afterwards thought inexpedient to lay on the Table of the House, although there was nothing in it which he was not prepared to stand by. With regard to the qualities of gunpowder, L.G. powder was used for all smooth-bore ordnance, for field guns, and for rifled heavy guns of the minor calibres. Until lately it was supposed to be more violent in its action, and more destructive in its effects than the R.L.G.; but that had not been proved to be the case. It gave rather a less initial velocity than R.L.G. with equal charges, and it was, therefore, to that extent inferior; but for practical purposes, and for rifled guns of the minor calibres, not designed for great penetration, there was really nothing to choose between the two. The manufacture of R.L.G. powder had been stopped for some time, and although it was at present used for heavy rifled guns of large calibre, yet it would be gradually superseded by pebble powder, always supposing that, in experiments, it came up to the required standard of excellence; and here he must say it was his duty to give a few of the progressive stages which occurred in the manufacture of pellet and pebble powder. It was in August, 1866, that a Special Committee recommended the introduction of powder in the form of pellets three-quarters of an inch in diameter, made in moulds by hydraulic pressure, specimens of which he exhibited; but the Committee recommended further experiments to determine the size, hardness, and density of the pellet. It was provisionally adopted in 1867 for all charges of 50 lbs and upwards. In 1867 the Ordnance Select Committee were still dubious of the advantages of this new powder, and were disinclined to its introduction in the form then adopted. Colonel Campbell, Superintendent of the Royal Gunpowder Factory, considered that the introduction of it would be premature. In 1868 orders were given for the erection of machinery to manufacture it, which was to cost £1,380. In the meantime, small supplies of pellet powder were used for experimental purposes; and Colonel Younghusband went abroad, to report on the manufacture of it in Russia and Prussia. Colonel Campbell, believing that pellet powder strained the guns as much as R.L.G. powder, thought it his duty to protest against the use of the larger charges of pellet powder. Altogether, the experiments as they progressed gave reason for the belief that pellet powder would shortly be superseded by powder of a superior kind, and in September, 1869, its manufacture was stopped. In February, 1870, a Special Committee on Explosives recommended a new powder called pebble powder, which was sanctioned for provisional adoption; and, after a series of elaborate and scientific experiments had been made, the Committee reported that pebble powder was capable of producing a muzzle velocity equal to that of service powder, with a reduced strain on the gun. Steps were then at once taken to ascertain the best mode of making it at Waltham Abbey, and orders were given that its manufacture should proceed. In August, 1870, a quantity was also ordered from the trade at the ordinary price, and in February last a further contract was made for an additional supply. The Waltham Abbey Mills had found no peculiar difficulty in the manufacture of pebble powder, and had turned out 4,600 barrels of it between the 31st of March, 1870, and the 31st of March, 1871. So much as to the qualities of those different gunpowders, of which the stock in hand of various kinds on the 31st of March last amounted to a total of 379,401 barrels. The hon. and gallant Member had referred to what he called the suspension of the manufacture of gunpowder in 1869; but the manufacture was not then really stopped, although the quantity produced was diminished; but the fact was, that doubts had then been raised as to the efficiency of pellet powder, which were shortly afterwards confirmed, and the quantity of R.L.G. powder was reduced, because they had a considerable quantity of L.G. powder in hand, which was not deemed so materially inferior to R.L.G. powder as to warrant an undue production of the latter. It was calculated that the total quantity of R.L.G. powder that would be used during the next twelvemonths, according to the authorized allowance for practice and for experiments, would be about as follows:—By the Navy, 4,716 barrels, and by the Royal Artillery about 750 barrels, making together a total of 5,466 barrels; and, therefore, it could not be said that their stock of that powder was not sufficient for all practical purposes and for a reserve, amounting as it did to 85,450 barrels. Owing to the different foreign stations which had been militarily—he would not say abandoned, but reduced, the quantity of ammunition kept there would also be reduced. As to the manufacture of pebble powder for the future, the Estimates for the present year provided for 27,500 barrels; and it was intended that the only cannon powder manufactured this year should be pebble powder. It was proposed to supply five iron-clad ships immediately with the new powder, and gradually to extend it to all our other ships and land batteries as the supplies came in. At the same time, although no doubt the pebble powder was better as regarded the strain on the guns than the R.L.G. or the L.G. powder, still it had been found that there were very remarkable discrepancies in the application of it. The Report of Colonel Campbell proved this fact, and showed that, even in regard to this description of powder, it was advisable and even necessary to proceed with considerable prudence and caution, in order that they might secure the right powder after all. Nothing could be worse economy than to lay in excessive supplies, particularly of gunpowder, which, as had been observed, did not improve by keeping like port wine, and which might become obsolete and useless like the pellet powder. The cause of the diminution of their gunpowder in 1869 had been referred to, and he therefore wished to state that his right hon. Friend the Secretary of State for War had given him positive instructions on no account to diminish the supply of any article from motives of economy which could in future years create increased expenditure. To those instructions he had rigidly adhered; and he had no hesitation in saying that the reduction of gunpowder effected in 1869 by his orders was made solely with a view of taking care that they did not order a large quantity of powder which might become obsolete; and even at that time their supply was approximately 343,831 barrels, not reckoning the powder then in possession of the Royal Navy. He did not, therefore, think the department over which he presided could be fairly accused of not providing adequately for the public wants; and he was sure that if they had unfortunately been involved in war, they would have had ample means at their disposal to produce any quantity of powder which might have been required, while the Government would also have had great assistance from the trade. In the course of the present year, Waltham Abbey Mills would produce 16,500 barrels of pebble powder, and 6,000 barrels of R.L.G.—a quantity equal to 28,000 barrels of common powder. It had been computed that the trade of this country could produce 59,000 barrels of powder in a year, in the event of so large a quantity being required. Under these circumstances the country might rest assured that the stock of powder in hand was amply sufficient for any emergency that could arise. He had no objection to produce the Papers that had been moved for, and he would take care in the event of the hon. and gallant Member withdrawing his Motion, that they should be laid upon the Table.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present—

COLONEL BERESFORD explained. He did not say that Colonel Campbell had reported against the pellet powder, but against the pebble powder.

Amendment, by leave, *withdrawn.*

VETERINARY DEPARTMENT OF THE PRIVY COUNCIL.

MOTION FOR A SELECT COMMITTEE.

MR. C. S. READ rose to call attention to the operation of the Contagious Diseases (Animals) Act and the recent Orders relating to Foreign Stock, and to move for a Select Committee to inquire into the cost, constitution, and working of the Veterinary Department of the Privy Council. Since he had given Notice of his Motion, he had slightly altered its terms in consequence of the evidence given before the Sanitary Commissioners, and also in consequence of the Returns moved for in February last by the right hon. Baronet the Member for North Staffordshire (Sir Charles Adderley) not having been presented to the House. He begged, in the first place, to offer an apology to Dr. Williams for having spoken of him as the secretary instead of the director of a defunct company, and to state his belief that he was a well-educated gentleman who was well fitted to hold his present post, although he had received no special training for it. In August, 1865, the present Veterinary Department of the Privy Council was established under the name of the Cattle Plague Department, and Dr. Williams was appointed secretary to it. In its earlier days that Department was renowned for its expensiveness and for its injustice in attempting to kill the cattle of the farmers without awarding them any compensation. In the same year Dr. Williams was replaced by Colonel Harness, and the business that the Department had to get through then was very heavy, there being 5,000 or 6,000 cases of cattle plague weekly at that time. At the end of the year 1866, Colonel Harness was promoted to some other office, and Dr. Williams, who had been quietly shelved in the sinecure berth of medical adviser to this office at £600 a-year, again became the secretary of the Department. For the next two or three years the office had very little to do, and of the 1,500 letters a-day which Mr. Helps stated were received then, nearly 1,000 contained *nil* Returns from inspectors. The Cattle Plague Report, which he knew had been nearly completed in 1867, was not presented to that House until 1870, by which time it had lost all interest, people having then almost forgotten the existence of the cattle plague. During that period, a few cases of compensation had to be determined by the Department, but an immense amount of trouble was occasioned by the difficulty of forcing a small modicum of justice from it. A certain number of statistical papers had been prepared by the Department, at his (Mr. C. S. Read's) suggestion, for the use of the Metropolitan Cattle Market Committee which sat in 1868, and since then the Contagious Diseases (Animals) Act had been passed, and it might now be taken that the Department was a permanent Government office. Although it had been officially stated that the Department was not to be regarded as a permanent one, it appeared that within the last few months the secretary and three or four of the clerks in it had been placed upon the permanent civil list, with, he supposed, a claim to pension and to compensation in the event of their office being abolished. What had the office done for the country? If they asked the meaning of an Act of Parliament, they were invariably told it was not the business of the Department to interpret Acts of Parliament. If they asked for an opinion relating to their Orders, which were issued from time to time, they got the most indefinite and unsatisfactory reply; and if they asked for advice they seldom got it. Not a single suggestion had emanated from them as to the best means of getting rid of or curing disease. Not a single piece of preventive advice had been given, and the office seemed only to know of the existence of two words—"isolation" and "slaughter." Now, though the barbarous pole-axe might be considered good against the cattle plague, he (Mr. C. S. Read) thought that in cases of slighter diseases it was undignified to resort to it, and against the scientific spirit of the age in which they lived. They had published only one Report, and that Report was incubating for three years before it was produced. The Department could not be regarded as of any value as a veterinary department; it was simply a rule-of-thumb police office, with red tape Orders, and no end of schedules, with the maximum of inconvenience inflicted upon the owners of the stock, and the minimum of good results. The duties of the Department were now only to collect statistics of the metropolitan market; but they were published weekly by the clerk of the market in all the newspapers; to take notice of the importation of foreign cattle which was recorded by the Custom House and the Board of Trade; and during the last few weeks this Department had undertaken the inspection of landing foreign stock. So that the credit of keeping out the rinderpest was due to the Custom House, and not to this department of the Privy Council. A clause was inserted in the Act to compel Returns being made of the number of foreign cattle suffering from disease when landed, and which had to be killed. The number averaged from 10 to 20 a month, and the work was not sufficient to occupy a clerk more than one day a-week; and with regard to defining the ports at which cattle were to be landed, that was done by extra assistance employed for that purpose. The department had to send out forms to the local authorities relative to pleuro-pneumonia, foot-and-mouth disease, and scab—and they did it to perfection, if inundating the inspectors with forms was any criterion. They were printed in all kinds of colours, blue, red, and green, and the inspector had to make triplicate Returns whether disease existed or not in the district. And when they were sent to the head Department they did not appear to be totalled, because when he moved for Returns on a former occasion, a most imperfect table was the result. The Reports of the condition of foreign districts as to the state of the health of the stock were occasionally forwarded to the Department, but they were never published. A small staff of veterinary surgeons and others were employed for the purpose of reporting on the transfer of animals by land and sea; and he was informed, though he could scarcely credit it, that the Law Officer of the Crown was paid £1,000 a-year for drawing up the necessary Orders in Council. The correspondence, exclusive of Returns, must be very little, because the letters during this easy-going time did not average more than 12 a-day. Last evening they voted in Committee £12,000 towards the expenses of this Department, which, exclusive of law, stationery, and printing, had cost something like £75,000, or about £100,000 in all. The secretary was stated in the Estimates to receive £800 a-year, but a foot-note would show that he really received £1,000, £200 additional being given him for "personal allowance." The chief clerk, who a short time since had been in the receipt of £200, rising by £20 a-year, had made a sudden jump to £600. He was a very good fellow, who had married a relative of his (Mr. C. S. Read's), and he was glad he had so comfortable a berth, and hoped he would keep it. In all, there were 46 persons in the office; but a man like Professor Simonds, with 8 or 10 clerks, would perform the work better than at present, and the Department would receive greater confidence of the public and the veterinary profession than they now enjoyed. The Department for Public Health in the Privy Council Office was presided over by a gentleman with six assistants, and it was surprising that the right hon. Gentleman the Chancellor of the Exchequer had not put his hand on the Department in question, and saved £5,000 or £6,000 per annum, and, at the same time, improved its efficiency. The right hon. Gentleman the Vice President of the Council had, by introducing the Contagious Diseases (Animals) Act, instead of passing a strict sanitary law applying to the importation of cattle, made a double-thumb-screw for himself. The farmers of this country soon gave it a turn, but he appeared to take little notice of it; but, on the other hand, the butchers of the North and the foreign salesmen formed a powerful body, and they certainly had wrung something from him. The other day a number of those gentlemen called upon the right hon. Gentleman and asked him why he allowed the importation of foreign cattle at Thames Haven, and then their being taken 35 miles through the rich grazing land of Essex, and refused them being landed at Hull and taken 55 miles into Leeds? He did not know what answer the right hon. Gentleman gave to them; but he had no doubt he satisfied them, though he (Mr. C. S. Read) would have found some difficulty in justifying the

Thames Haven Order. Many persons could not understand why the foot-and-mouth disease was included in this Act, and he undertook to say that if Professor Simonds had been asked he would not have advised it; but it was no doubt inserted at the instance of the Veterinary Department, or that office would have been at an end before this time. As soon as the Cattle Diseases Act was passed tons of forms were sent out by the Department to the different inspectors accompanied by books full of instructions; but they did not take the trouble, and they had not the courtesy, to tell the local authorities what they had done. For some four weeks the veterinary surgeons in Norfolk worked away and incurred expense in searching for cases of foot-and-mouth disease; but to this day they had never been paid, for the first act of the Quarter Sessions was to cancel their appointments and to send them for their remuneration to the Department that had given the instructions. He did not think lightly of the foot-and-mouth disease; on the contrary, he never wished to see it again, and Professor Gamgee said, in 1868, that they would keep clear of it unless they had it imported afresh from abroad. In 1869, however, although it was known the foot-and-mouth disease was prevalent on the Continent, the Orders were relaxed with regard to the importation of sheep, and the consequence was that the disease again spread like wildfire over the country. In Norfolk, 9 out of every 10 head of stock had it, and as it was computed there were 120,000 head of cattle in the county, and that the loss was at least £1 per head; the farmers of that county lost £120,000 by that attack. He did not agree with Mr. Mill, and those philosophers who told them that farmers recouped themselves by the high price of meat, because it was a fact that farmers would rather have moderate prices and healthy stock than high prices and diseased stock. He advocated, when the Bill was before the House, the introduction of very sharp and stringent home regulations; but he did so on the understanding that foreign cattle should be killed at the outports. The farmers were ready to submit to any restrictions, provided they were protected from the probability of foreign diseases. On the 10th of February, in Norfolk, of a herd of 40 cattle, six were attacked with pleuro-pneumonia. They were separated from the rest. They all recovered except one, and that one had an attack of chronic pleuro-pneumonia which lasted until the end of May. The owner had exhausted his hay and roots, and was not allowed to move his stock because his farm was an infected spot. That one bullock in consequence cost the county a large sum. He would not die, he would not recover, and the owner would not kill him, and the inspector having to visit him every week had to be paid for his time and his mileage. But foreign stock might and did mix with diseased animals on the other side. He said so because in May there were two cases of pleuro-pneumonia in different ships, and so advanced was the disease that the authorities had the carcases of the animals destroyed. A recent Order said the stock from Holland might come over here, and after 12 hours' quarantine might go over the whole country. His right hon. Friend might say that since the relaxation of the Orders there had been an immense importation from Holland. But the reason was because Holland was suffering from a cold spring, the farmers there had no hay, and therefore they were sending over here a large quantity of store stock. His right hon. Friend might say that he had appointed an inspector at the other side of the water; but the inspector could not detect infection in its incubation, and he contended it was cruel to our farmers that they should not be allowed to remove a bullock attacked with pleuro-pneumonia until after the expiration of 30 days, and that foreigners should be able to remove theirs after 12 hours' quarantine. His right hon. Friend had said the other day that Holland was free from disease, meaning, no doubt, the cattle plague, for he could not have meant pleuro-pneumonia. In North Holland alone, from the 19th of March to the 22nd of April, 45 cattle died of this last disease, 206 affected by it were killed, 138 recovered, and 94 were left ill, making a total of 483 in that small Province, from which we were to receive our Dutch cows and store stock. Mr. Kilby, of Yorkshire, had sent out 4,000 circulars to the principal agriculturists of this country, asking for their experiences of the loss of stock during the last 30 years, and had also applied to some gentlemen in Wales and Scotland. He found that in some of the

Northern districts of Scotland, and the remote counties of Wales, they had no case whatever of foot-and-mouth disease or of pleuro-pneumonia. Did not that show most distinctly that these were foreign diseases, because there was the same atmosphere in one part of the country as in another, and the cattle received, if anything, more severe treatment in those remote districts? In the breeding counties, Mr. Kilby found that the losses were 25 per cent from lung disease, and 33 per cent from foot-and-mouth disease; while in the grazing counties the losses were—from lung disease 90, and from foot-and-mouth disease 78 per cent, or 168 per cent in all, showing that it was by the transit and mixing of cattle these dangerous diseases were propagated. In 1868 we had 3,769,000 cattle, worth about £56,000,000 Well, the losses in 30 years amounted to £83,000,000, or nearly once and a-half the worth of the whole stock in 1868. So that a man in England during the last 30 years who had 20 head of stock lost the value of one every twelve months. As regarded Norfolk, that was considerably under the mark, and his own (Mr. C. S. Read's) losses had been very much more. Now, for the sake of 184,000 head of stock—which was the average importation of the last four years—we exposed 9,000,000 of cattle in this country to foreign diseases; and for 560,000 head of sheep—the average importation of the last four years—we exposed 34,000,000 of our sheep to foreign disorders. The consequence was that the price of meat to the consumers had been increased. Whatever might be the case with corn, the consumers of meat in this country had to look to the home supplies. According to the agricultural and official Returns of the Board of Trade, the total home supplies of meat for the years 1867, 1868, 1869, and 1870, were 4,856,922 tons, or on an average per year 1,214,230 tons. The foreign supplies for the same period were—of live stock 56,210 tons, and of dead meat almost exactly the same amount, or 56,724 tons. The percentage of the home supply, therefore, was 91½ as against 4¼ of live stock and 4½ of dead meat from foreign countries. He could not understand why Belgium, where no cattle plague existed, was scheduled, and why the right hon. Gentleman, on the other hand, allowed the direct importation of cattle from Russia. The other day a cargo of beasts came direct from a Russian port whence the plague was imported in 1865. It came to the Victoria Docks, and after 12 hours the beasts were sent to the Metropolitan Cattle Market. They mixed with foreign sheep both at the railway station and in the market, and although he might be told the latter were not allowed to leave the market alive, he was sure they sometimes did so. Another cargo of beasts came from Hamburg; but they were imported from Russia through Germany. They arrived with some sheep at Brown's Wharf, and those very sheep went into the Provinces. The right hon. Gentleman the Vice President of the Council had extemporized a temporary water-side market, and Mr. Odams, who spent £12,000 in fitting it up, had not been very well used by the authorities. He provided a very good and sufficient place, and when more accommodation was wanted he was asked whether he would provide it. Mr. Odams thereupon spent £1,200 more in making sheds, &c.; but in a fortnight the Order was rescinded, and the whole of the stock for which this accommodation had been provided was allowed to go to the Metropolitan Cattle Market. The state of the foreign cattle market which was to arise at Dead Man's Wharf would, he trusted, receive the attention of his right hon. Friend. The Corporation of London, after doing little or nothing hitherto, had now built a wall to separate 20 acres of land from the Victualling Yard, Deptford. If, however, the new market were not ready by January 1st, 1872, the Corporation would lose the monopoly of the market, and he hoped his right hon. Friend would insist on the Corporation keeping to their part of the bargain. He wished the right hon. Gentleman had kept to the temporary market, and withdrawn the cordon, so that the inhabitants of Brighton and other places might have the advantage of coming to London and buying their stock. The House ought to encourage the carriage of dead meat for the sake not only of economy, but humanity; and it was a shame and disgrace to a civilized country that such slaughter-houses as those we had in London should exist. A dead sheep might be sent into Staffordshire for 10*d.*, and from London to Manchester for 1*s.* a-head, including the skin and offal. Even lamb—that most perishable and delicate meat—he had himself been sending this week to the London market. He believed that instead of an hon. Member of that House going bawling about the country and calling for economy, it was far better to put his finger in that House upon some item of extravagant expenditure with which he might be acquainted. He trusted that the House would grant the inquiry for which he asked. It need only be a short one. Three or four sittings of the Committee would be sufficient either to prove or disprove the case. The hon. Member concluded by moving for the Select Committee of which he had given Notice.

COLONEL CORBETT, in seconding the Amendment, said, he could endorse two statement made by his hon. Friend the Member for South Norfolk (Mr. C. S. Read). The first was, that a veterinary surgeon ought to be at the head of this Department of the Privy Council; and the next was that the foot-and-mouth disease ought not to have been included in the Act. The question of cattle plague contagion was one of equal importance to the consumer and producer. He believed that if the losses sustained by the diseases of imported cattle were ascertained, it would be found that the price of meat had been raised in consequence 1*d.* per pound to the consumer. He knew that, as a breeder of cattle, he would rather sell at 2*d.* per pound less than receive the present high prices, and must say it was the exceedingly small stock of cattle in the country which kept up the price; and that nothing but getting rid of the disease would bring down the price of meat to its normal state. Foreign cattle should be killed at waterside markets, and store cattle should be kept out altogether; while as to the 12 hours' quarantine, it was of no use at all. He could confirm what his hon. Friend the Member for South Norfolk had said as to the cattle in Wales being free from disease; and he (Colonel Corbett), too, was of opinion that if no disease were imported he believed their cattle would be entirely free from disease.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the cost, constitution, and working of the Veterinary Department of the Privy Council,"—(*Mr. Clare Read,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. JACOB BRIGHT said, the hon. Gentleman the Member for South Norfolk (Mr. C. S. Read) had made a severe attack on the Veterinary Department of the Privy Council; but he (Mr. Bright) was not concerned in defending the Privy Council, and was of opinion that every Department of State realized considerable advantages from being attacked. The hon. Member complained very much that the British farmer suffered from the Cattle Diseases Bill, and that he could not remove his cattle from one place to another. Now, he (Mr. Bright) would assist him or anyone else in removing unnecessary restrictions; but when the farmer came to the general question of the importation of cattle, he (Mr. Bright) differed from him *in toto.* The hon. Member would have all cattle coming into this country slaughtered at the ship's side. That would make a very considerable difference in the amount of cattle imported. There was not a greater risk of importing disease than of spreading it by the removal of cattle. The hon. Member said that only 10 per cent of our meat came from abroad, and that for this quantity it was not well to risk the health of all the cattle in the country. But 10 per cent was a large proportion; it was the whole consumption in the country for five or six weeks in the year, and the quantity was sufficient to materially affect the price in the market. The hon. Member also spoke of the position of the right hon. Gentleman the Vice President of the Council as being most uncomfortable: granted. The strength of the agriculturists in that House was enormous; but there was another strength outside the House. Many deputations from the large towns had waited upon the right hon. Gentleman with reference to this subject, and, to a certain extent, the statement of the right hon. Gentleman that these deputations were promoted by the butchers was true; but that circumstance only proved that, in the opinion of the butchers, the restrictions upon the importation of cattle very much diminished the number of cattle for slaughter, and therefore injured their business. What they wanted was to have more meat to sell, and to his mind, it was a most significant fact that the butchers were the men to take up this question. That they would be more and more supported by the public at large he felt convinced would be the case in consequence of the high price of meat. The deputation which recently came up to town, and which he had accompanied in their visit to the right hon. Gentleman, stated that, as it was legal to bring foreign cattle to London through an agricultural district of 40 miles in extent, it was only right that Manchester, Leeds, Sheffield, and other large towns should enjoy the same privilege. They were told that the cordon around London prevented cattle from leaving London; but they proposed to meet the difficulty by having the cattle brought into large towns killed at slaughter-houses within those towns. There might be some difficulties in the way; but many gentlemen who were conversant with the subject declared it to be quite possible to import cattle on those terms without introducing disease. If the Department felt themselves unable to grant the terms asked, the next thing that these large towns would ask for would be to have free trade permitted with every non-infected country, subject to the best inspection which could be supplied by the Government. The tendency of meat to rise in price went to show that the people of the country grew faster than the cattle, and if that were so the question of these restrictions would have to be discussed hand-in-hand with the Game Laws; for if they were to have great restrictions placed upon the importation of cattle they ought to reduce their game preserving, and so increase their own power of breeding and feeding cattle at home. He hoped the Vice President would bear in mind that there was throughout the country a demand for a greater liberty of importation. Coming from Cheshire, he knew the great burdens that had been cast on town populations in consequence of the cattle plague, and while those people were as anxious as the hon. Member for South Norfolk to prevent the spread of disease, they also desired to obtain that animal food which was to them a necessary of life. If restrictions were carried too far, the result would be that at some time they would be wholly abolished.

Mr. BEACH said, he could understand that the inhabitants of towns were anxious for the removal of restrictions on the importation of cattle, because they believed that that step would enable them to obtain their meat on cheaper terms; but it should be remembered that the present price of meat was not entirely owing to the restrictions on the importation of animals, since of the present meat supply 91½ per cent was derived from home sources, 4¼ per cent was the flesh of animals that were imported alive, and the remaining 4¼ per cent was imported dead meat. Those who were interested in this matter did not desire to impose any restrictions beyond those that were absolutely necessary; but they asked that, whenever there was any suspicion of disease, the animals imported should be slaughtered at the port at which they arrived, and such a step they considered necessary as a safeguard. In his opinion, the increased price of meat was chiefly owing to the fact that during the last two seasons, in consequence of the excessive drought, there had not been a good supply of that food which home stock required for their sustenance.

Notice taken, that 40 Members were not present. House counted, and 40 Members being found present,

Mr. BEACH, resuming, said, that in the county to which he belonged, for several years there had existed a committee, upon which he had been engaged, to prevent the importation of cattle from one county to another, and a cordon had been drawn which imposed restrictions which were at one time relaxed; but it was found necessary to re-impose them as a measure of self-defence; and the local authorities only asked that their acts should not be invalidated by its being permitted to import without restriction cattle which came from countries where it was known that disease had prevailed to an alarming extent.

Mr. W. E. FORSTER said, that although the hon. Member for South Norfolk (Mr. C. S. Read) had made a severe attack on the Department with which he was connected, he did not regret that the subject had been brought before the House, although he could not admit that his hon. Friend had made out a case for a Committee of Inquiry, the appointment of which would imply some degree of censure. A complaint had been made that the Department was needlessly costly, and that a greater number of clerks were employed than was necessary. Now that was a great mistake. During the time that he had held his present position he had never heard any complaint that the Department had not sufficient to do with respect to the cattle plague. With regard to Dr. Williams, the permanent head of the Department, he could only say that he never met with any official more desirous of discharging his duty, or better qualified to do so, and he had always found that gentleman of the greatest possible service. Very shortly after his own appointment as Vice President, the Contagious Diseases (Animals) Act was passed, and a considerable staff was necessary to work it effectively. The Department had two things to consider—first, what could be done to prevent the spread of foreign disease; and, secondly, what could be done to prevent the spread of home disease. The first of these duties the Government did attempt to carry out with regard to the cattle plague and with regard to the sheep-pox, but no attempt was made to check the spread of home disease. Any attempt to fulfil such an object compelled the Department to have a large and responsible staff, for the interference with foreign imports was one of the most serious duties that could be imposed on a Government, and when it became the duty of the Government to put restrictions on a trade concerning the main part of the food of the people, it was essential to have a responsible and intelligent staff, capable of giving good advice and of obtaining all necessary information from day to day as to the spread of disease both at home and abroad. With regard to the attempt to prevent the spread of home disease, that was a new duty, and the size of the staff was consequent on the attempt. The number of local authorities in the country was 404; there were 1,180 inspectors in England and Wales alone; and the Department was daily brought into communication with these local authorities. The Department, like all other Departments of the Government, did not attempt to interpret the law, because they had no legal power to do so; and if they did attempt it they might only mislead those who applied to them; but cases constantly went before them, and the correspondence they carried on was really enormous. He did not suppose that his hon. Friend's objection was that the Office had nothing to do, but rather that what was done had better have been left undone, and that the policy they had adopted, and the Orders they had issued, were the real grounds of offence. His (Mr. Forster's), position was a rather unpleasant one, being, as it were, between two fires; but perhaps it would have been still more unpleasant if he had had a pressure from one side, which he ought to have resisted, with no pressure from the other side to anable him to resist it. It was his duty to consider what was intended by the Legislature when the Act was passed, and how he could best serve the country by carrying out that Act; and he could honestly state that he had simply and solely endeavoured, irrespective of Parliamentary strength on one side or the other, to consider how the Act ought really to be carried out. But they did not prevent the full and fair consideration of the different interests involved. With regard to the foreign importations, the principle upon which the Act was passed, was, that there should be such restrictions upon the import of foreign cattle as would prevent the spread of disease. His hon. Friend had spoken of the advisability of having all cattle slaughtered at the port of landing; but when the Act was passed the feeling of the House was decidedly against that, and the principle adopted was that only such cattle as were considered dangerous should be slaughtered at the port of landing. When the Act was passed, the Department scheduled such countries as were considered dangerous; considering those countries dangerous from which there was a possibility of importing animals infected either with cattle plague or with the sheep-pox. The countries scheduled were Germany, Holland, Russia, Belgium, and the Eastern Provinces; and they were scheduled not so much because the Government were afraid of importing cattle reared in those countries, but because they had no security that those countries would not be the means of transmitting really dangerous cattle from the Eastern Steppes, from the borders of Poland, from the Principalities, and from Russia. The only countries left open for some time were

France, Spain, Portugal, and Denmark. But then came the late war, which obliged the Government to increase the restrictive orders very much, and to shut out France as well as the other countries; to have German cattle slaughtered on the north side of London, instead of sending them to the metropolitan market; and to prohibit importation from France and Belgium. These Orders, for which the Department deserved some credit, could not have been issued unless the Office had had a responsible department to give information as to the facts of the case; and as the Orders necessarily raised the price of food, nothing but a feeling of necessity induced the Office to issue them. The war, as far as Germany was concerned, was now entirely over, and that circumstance had enabled the Office to put Germany back again into the position in which it stood before the war. In the next place it was thought—and this he believed was the real cause of offence to his hon. Friend—that the time had arrived when Dutch cattle might be safely introduced. Last year the import of Dutch cattle was somewhere about 70,000 or 80,000, and of German cattle somewhere about 50,000 or 60,000 and for some time past there had been no cattle plague in Holland, the restrictions to prevent its spreading in that country being well devised; but as there was a danger that Steppe cattle might come through Rotterdam, the Dutch Government were told, when they asked that the restrictions on the import of Dutch cattle into this country might be taken off, that there was risk in allowing cattle to be imported from Rotterdam, and the result was that the Dutch passed a law prohibiting the import of sheep and cattle into Holland, and promising to give notice before the law was changed. When that law had been in operation for two or three months, Her Majesty's Government took off the restriction from Dutch cattle, which they had not felt justified in taking off before they found that the new Dutch law was successfully carried out, inasmuch as the cattle plague was raging around Holland, and in Belgium and France. It might be argued that the Government seemed only to have considered it their duty to keep off the cattle plague and sheep-pox, and that they had not thought it necessary to take precautions against the spread of pleuro-pneumonia, and the foot-and-mouth disease. But pleuro-pneumonia, though dangerous, was not so dangerous as the cattle plague, and it was, moreover, a disease already in the country, there being scarcely a county in England in which it was not prevalent; and it was too much to say that all Dutch cattle should be slaughtered on landing, because in Holland, as in England, pleuro-pneumonia was to be found. No doubt there should be stringent regulations with regard to inspection, and that no animals should be allowed to be introduced into this country which came with pleuro-pneumonia. And what were the regulations? The regulations with regard to pleuro-pneumonia were that if in any ship coming from Holland, or any foreign country, there was any animal affected with the disease, not merely the animal should be killed, but the whole cargo should be slaughtered at once, and not allowed to go to the metropolitan market or into the interior. Foreign cattle, therefore, were liable to even more stringent regulations than home cattle, because there was no power under the Act to slaughter a whole herd at home because one of the animals suffered from pleuro-pneumonia. That was going as far as he thought they were justified in going. It was rather remarkable that soon after this Order three cases of pleuro-pneumonia had occurred in two cargoes from Holland. The Dutch Government were immediately communicated with on the subject, and told they should take the greatest precautions to prevent the recurrence of such cases. They had taken the greatest possible precautions, and he believed they had been effectual. The regulations enforced were of the most stringent character. No cattle were allowed to be shipped without previous examination by veterinary surgeons—to be conducted between sunrise and sunset. The General Steam Navigation Company had also taken up the subject, and it was their interest to see that the regulations were strictly enforced; for the trade in cattle between Holland and this country was a most important one. Still, he did not think they were justified in restricting the Dutch trade in cattle on account of Holland being in the same position as this country with regard to pleuro-pneumonia; while the regulations in force did practically prevent pleuro-pneumonia being introduced by Dutch animals. Then, on the other hand, he was urged by his hon. Friend the Member for Manchester (Mr. Jacob Bright) to let in the German cattle for the benefit of the large towns as we did the Dutch, under certain regulations. And the hon. Member had referred to Thames Haven, as an instance of the feasibility of complying with his wishes. But the position of Thames Haven was widely different from that of Hull, and it would be exceedingly difficult to draw a cordon round those large towns, to give the same security as existed in London. Nevertheless, he thought the representations made by the deputation to which his hon. Friend had alluded deserved the most careful consideration of the Government, and he acknowledged he had postponed a final decision on that subject, expecting the arrival of Earl De Grey within two or three days, when he should be glad to have his counsel and assistance in the matter. In the meantime, he was glad to find that the representations of the hon. Member appeared to have found favour with his hon. Friend the Member for South Norfolk. [Mr. C. S. READ: No, no!] At all events, his hon. Friend did not seem to think any great danger would result from the adoption of the suggestion. Now, with reference to home diseases, his hon. Friend seemed to think that all their efforts to check them had been useless. But there had not yet been time fully to test the value of their regulations. He did not think that in a couple of years they could gain statistics that could be of very much value with regard to such a difficult matter as the spread of disease among the cattle of this country. It had taken some weeks or months before the local authorities could thoroughly work the Act, for in some places there had been a strenuous endeavour to carry it out; in others, there had been apathy and opposition. So far as they could get any information, it was very much in favour of the working of the Act. There had been in 26 weeks ending March 6, 1870, 775 outbreaks of pleuro-pneumonia, and in the corresponding weeks of 1871 the outbreaks were only 514. Of the 47 divisions in England and Wales there were 16, in which during six months of 1869-70 the outbreaks had been 603; and in the corresponding period of 1870-71 the outbreaks were only 379. In 15 others there was a diminution, and a considerable diminution. There was only one county in which there had been an increase—from 104 to 112, and that was the county of Norfolk, where there had been more opposition to the carrying out of the Act than in any other county. In fact, it was not till November, 1869, that any inspector had been appointed there, and nine were then appointed for the county and two for the boroughs. Suffolk had 42 inspectors, selected from the police; the decrease of the disease there had been greater than in Norfolk, and the expense of working had been less—£253, as compared with £841, the cost of working Norfolk. It was found that inspectors taken from the police, assisted by one or two veterinary officers, answered better than a large staff of veterinary inspectors. His hon. Friend alluded to the way Mr. Odams was treated in regard to the waterside market. But he had never been asked to supply the market. He found it to his advantage to do so, and he made all provisions in the most entire understanding from the Office and himself that the arrangement would be temporary. As to not giving him information beforehand, the fault rested with him (Mr. Forster); for he always directed Dr. Williams to let no Orders be known until they appeared in *The Gazette*. He thought no case had been made out against the Department, and his opinion in regard to the Act was that the cost entailed was worth while being incurred. The foot-and-mouth disease was a great difficulty; but he thought it had now been brought into a position in which the counties did act. Having been left to their own discretion, 30 out of 40 had imposed more stringent regulations than the Act required, which proved that they preferred dealing with the foot-and-mouth disease themselves. The Return which had been asked for had not yet been received; but it would be laid on the Table of the House as soon as possible.

MR. G. BENTINCK said, had the question been one of party, the House would have been crowded; but now that a question involving the character of the food and the well-being of the people was before them, he believed there were not 40 hon. Members present—a fact which would not be a little curious were the history of debates written.

Whereupon—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Eleven o'clock till Monday next.

HOUSE OF LORDS,

Monday, 5th June, 1871.

MINUTES.]—Public Bills—*First Reading*—House of Lords Appellate Jurisdiction * (147); Public Health (Scotland) Act (1867) Amendment * (148); Local Government Supplemental (No. 2) * (149); India (Local Legislatures) * (150).

Committee—Lunatics (Scotland) * (117-152).

Committee—Report—Canada * (112).

ARMY RESERVE AND ENLISTMENT.

OBSERVATIONS.

Lord SANDHURST, in rising to call the attention of the House to certain General Orders affecting Army Reserve and Enlistment issued since the 22nd of March inclusive, said, that in directing their Lordships' attention to the subject he wished it to be understood that his remarks had no reference to pending legislation, and that whatever observations he made would be directed solely to the results of late Acts of Parliament—that was to say, with regard to measures proposed by the Secretary of State for War under powers vested in him, and not with reference to the legislation now going on in the other House of Parliament. At the same time, he would ask his noble Friend the Under Secretary of State for War to understand that although he might express a certain difference of opinion from the Secretary of State with regard to the measures comprehended in the Orders to which he invited attention, he was animated by no spirit of antagonism to the Government—with which it was his pride and pleasure to act. He had been in the habit of protesting, in his position when in command, against certain evils in the Queen's service which he ventured to describe as of great magnitude and importance; but which he had not—so far as opportunity had been offered to him in former times—been able to impress on his superiors in the War Department with sufficient force to cause some remedies to be applied to them, and, therefore, when he said he differed from the Secretary of State for War he might add he differed also from all his predecessors on the subject. We had to consider in these days a question of military organization which was strange to those who had to care for the Army 20 years ago. Influenced by events on the Continent during the last 10, and more especially during the last five, years, the people of this country, Government and Parliament had come to consider that there was one thing perhaps even more important than the line of the British Army—namely, the lines of Reserve behind it. In contemplating this new problem they encountered difficulties which were encountered by no other Power in Europe; for all other Powers depended on conscription; whereas the forces of Her Majesty depended on voluntary enlistment. When they considered how vast was the distinction, how great was the difference, between troops that were raised by conscription and those obtained solely on the volition of the individual man, he thought their Lordships would agree with him that probably no problem was more difficult to be solved than to form our Reserves on such a basis as would satisfy public security hereafter, and save the country from those disgraceful panics which had so often alarmed the people. When he looked to the Orders that had been placed on the Table of the House in accordance with a former Motion, he must say he was dissatisfied with them—they failed to solve the problem—indeed, he must say that he looked at them with a feeling of dismay, rather than of confidence. If they looked to foreign armies, and especially to that German organization which had been held up to them as a model to study and an example to follow, they found there was one point which was never forgotten by those who had to consider the elements out of which combative armies were to be formed — one which was deeply studied and practically acted upon in a manner to give satisfaction to those who had the authority and command over the armies of the Continent; but which he grieved to say, owing to various circumstances, did not receive the attention it deserved from those in authority in this country, and which seemed to him to have escaped public attention also. It was a very elementary one. It was one that struck every military man at first sight, and it also was such as struck every employer of labour in every trade or profession—namely, the age of the men. In Continental armies care was taken to provide grown men for the Army; but in the British service no such provident care was observed; and, instead of providing men, every regulation was framed with the intention of providing undergrown striplings or boys for the service. He did not exaggerate when he said that was the result, and that there could be no other possible result, from the working of the regulations under which our Army was organized. Before 1847 we had what was called the long-service system—that was to say, the men were enlisted for life, but practically only for 21 years—and the consequent result was that but few recruits, comparatively speaking, were required for the Army annually; and the great bulk of the regiments consisted of old soldiers. Consequently, the men who joined as recruits were in inverse proportion to the large majority of the soldiers. But after great debate it was — as he believed, rightly — determined to change the system by the introduction of a limited period of service—that of 10 years for the infantry, and 12 years for cavalry and artillery, with power to re-enlist men of good character. For some time this change was hardly felt in the service, for the number of old soldiers was so large that it required years to effect a change in the *personnel* of the different corps, and many years would have to elapse before it would come into full and complete operation. But, however, as years rolled by, the new system came more fully into operation, the number of old soldiers decreased, and the number of young soldiers increased. In 1867 further changes were made, in accordance with the recommendation of a Royal Commission, presided over by a noble Earl behind him (Earl Dalhousie). That Commission, as far as he understood their Report, did not entirely yield to public opinion on the necessity of increasing the Reserves; it looked more to holding out inducements to the old soldiers to re-engage, and to invite young men to enlist, than to any system on which a comprehensive system of recruiting might be established. Last year things had advanced still further, and an Act was passed giving a much wider basis to the Reserves. These Orders, which had been laid upon the Table, had been issued by the Secretary of State under the authority intrusted to him by that Act. Now, having given a very superficial sketch of the changes that had taken place, he begged their Lordships to understand that he was the last man in the world to quarrel with them, or to say that the reforms executed according to the advance of public opinion were in any manner wrong. On the contrary, he entirely went with the spirit of them, and he begged to assure their Lordships that he entertained those ideas long before they were fashionable, or before they were entertained by the majority of the people. But while they were anxious for reform, they must think a little of those conditions of security without which reforms become dangerous instead of advantageous to the country; and that he ventured to say might be the case if Orders of this kind were hazarded without some compensating provisions. Now, if there was one thing more than another which he thought was injurious to the proper organization of our Army, it was the recruiting of mere striplings and young men who had not reached 21 years of age. To enlist lads at 18, and to transfer them to the Reserves at 21, was to form the Army in actual service of lads and not of men. If they did so, they were simply organizing defeat. Whatever the ability of the Generals or the valour of the commanders, and however heavily the taxpayer might have been burdened, when the hour of trial came they would find that their efforts had been lamentably wasted, and they would stand before the world discredited if not defeated. And so it came to this—that they must have the compensating condition, which, as he had said before, was never forgotten in the armies of the Continent. Instead of taking mere boys into the service they must take men. According to the first of those Orders, dated 22nd March, 1871, soldiers of regiments who had exceeded three years' service were invited indiscriminately to volunteer into the Reserve

—that was to say, that all the Line regiments of England were without exception invited to part with their men who had any experience, who had any sinew or muscle—who had, in fact, established their reputation as soldiers—and to leave behind them the striplings and the men of bad character. Was it surprising that when the commanding officers of regiments received that order they should have looked round them with blank dismay, and wonder what was the meaning of it? How, he asked, was it possible for the commanding officer to maintain the honour and discipline of the Army if the regiments were to be left to striplings and men of bad character and to non-commissioned officers? He thought it was an important question, and one for their Lordships to decide, whether commanding officers ought to be left in such straits as he had described. He was aware that a second Order had since come out limiting the further passage of volunteers from the Line to the Reserve. He was glad to see that Order; but, at the same time, he must invite attention to the fact that whilst they might have this limitation on the part of the War Department, nevertheless the principle still remained, and, under the powers vested in the Secretary of State, they would find that they would be exposed to the same disadvantages hereafter. The experience of the last few years—more especially of last year—had shown them, on the one hand, an Army of grown men, varying from 20 to 23 years of age, capable of enduring every fatigue, of standing short rations, and of doing justice to the commands given them; while, on the other hand, we had seen another Army formed in a hurry, many of the men being of extreme youth; and, without alluding more particularly to recent events on the Continent, we had witnessed in the one case constant success and in the other constant defeat. Putting aside the question of the regular Army of France, we surely ought to profit from experience about trusting to armies composed of very young men, such as those who had manfully striven against the grown soldiers opposed to them, but who had striven in vain—owing chiefly, he believed, to physical causes resting in the men themselves. He admitted that we should not be in such straits as these; but were our regiments to be composed hereafter of boys varying from 18 to 21 years of age, they would, however well trained and drilled, be without those powers of physical endurance which were at least as important as courage. He had another and fatal illustration to bring before their Lordships. Having commanded our forces in India for a long time, he had striven for years to get men of greater age in the regiments relieving those coming from India, and in the draughts of recruits sent out to re-inforce the regiments already there. Those representations, however—which were seconded by the Inspector General of Hospitals—were unavailing, the reply being that the circumstances of this country made it impossible to alter the regulations under which young men of 18 were invited to enter the service. All the superior officers with whom he was acquainted, and he knew nearly every one in the Presidency of Bengal, were aware that the rates of mortality were greatly enhanced by the extreme youth of the recruits who filled their regiments. Their opinions had been repeatedly stated, and Dr. Muir, lately addressing the Adjutant General in India, had declared that the evil had so culminated that it might be impossible to trust to Her Majesty's regiments hereafter. This strong opinion of the Inspector General of Hospitals, based on his personal inspection of the regiments year after year, and supported by all his subordinates, had deeply impressed him. Often as he had pondered over the subject, and much as he had considered it in all its bearings when himself in command, it almost overwhelmed him with regard to what might happen to the Army of which we were so proud, to which the country trusted, to which we looked in the last extremity, but which, according to so high an authority, was threatened with the worst danger as the effect of our own legislation. In the Report of the Army Recruiting Commission of 1866 he found this passage—

> "The Director General of the Army Medical Department is of opinion that on the score of health alone men should not be sent out to India under 20 years of age. We further advise, on the ground of efficiency, that none but thoroughly trained soldiers should be sent abroad."

In bringing this point before the House, therefore, he had the satisfaction of knowing that he was but following the recommendations of the Commission presided over by the noble Earl already referred to. On referring to the debate in this House last year, he found that the illustrious Duke on the cross-benches was not slow to warn their Lordships of the necessity of guarding such points as those to which he had called attention. The question of age, he believed, was not then alluded to; but both the illustrious Duke and the noble Earl who presided over the Commission declared that it was necessary to look carefully to the efficiency of the men, and to preserve a certain element of old soldiership while committing ourselves to the short-term system. He found also that the points set aside by the present Orders were stated to be guarded by the illustrious Duke. Thus it was said there was no intention of parting with all the men who had exceeded a certain term of service, but to invite men who had been six years in the service to join the Reserves, and that while authority was given to draught three years' men into the Reserve, it was only to be done on the understanding that the Army was to be reduced. Now, the present Orders had been issued under different circumstances, for we heard nothing of reduction of the Army—we heard only of the formation of a Reserve. Thus, the very point guarded by the illustrious Duke was, in these Orders, guarded no longer. In an excellent work by Major General Sir Lintorn Simmons, which the majority of their Lordships had probably read, this point was particularly alluded to—and few men had had more experience, while none, probably, knew more of the working of foreign armies. What did General Simmons say?—

> "It is well known that, acting under the inspiration of the men employed in the recruiting service, it is a common practice for lads entering the Army to be attested as being 18 years of age, when in reality they are under it."

He (Lord Sandhurst) was sorry to say he believed with General Simmons that a very great number of the lads who enlisted did not possess the 18 years which they pretended—and as far as this was the case the evil to which he was directing their Lordships' attention of too young soldiers became one of greater magnitude. General Simmons had also called attention to the age in other armies. In the Prussian Army no conscript was taken whose age was less than 20; and the authorities reserved to themselves the right of putting back for a year men even of that age who might be weakly, and apparently inadequate to the performance of really military duties. In a single year 220,000 youths out of 227,000 who had completed their 20th year, and were liable to military service, were actually put back for a year as temporarily unfit. Thus, if the man of 20 did not show something like a complete manhood, he was sent back for another year in order that he might complete his growth. This, it seemed to him, was as humane towards the population as it was politic for the State. In the French Army the age of the conscript was 20, in the Russian, 21; in the Austrian, he believed the same as in the Prussian:—so that in all the Continental Armies of note this point was jealously guarded. Perhaps he should be told that no means existed of providing recruits of more mature age than those who had hitherto been taken for our own Army. Indeed, it had lately been stated on high authority that the thing was impossible; and he had heard distinguished officers say that great as the evil was no remedy could, owing to our institutions, be found. Now, if our powers of invention were so poor—if we were in such a state that we committed the great national sin of inveigling young men to go to a climate which sent them to a premature grave—all he could say was that we had no right to take rank as a Power possessed of administrative ability. A remedy must and would be found. To admit the evil and to allege that we were powerless to apply a remedy was to condemn us in the face of the civilized world and to expose ourselves to serious dangers. He feared that whatever Government had been in power of late years, no real effort had been made to grapple with the problem, or it would have been found to possess no such insuperable difficulty. He believed that there were simple means by which men might be found as recruits, and which would enable us to carry out the plan of forming a Reserve from the men of the Line after a short service—say of three years. He had ventured to submit to the Secretary of State a plan to which he did not attach greater importance than to any other which might be offered, but which he thought deserving of being put to the test of trial. General Simmons had thrown out very excellent ideas, all in the same direction. What he would suggest was that there should be one age for the Militia recruit and another for the Line recruit. The former might be fairly fixed at 18, and the latter at 20; and this would, at all events, get rid of the evil now complained of—namely, competition between the Militia and the Line for the same class of men. Then, at the end of every Militia training season, the Secretary of State should declare what number of young men were required to fill the year's vacancies in the Line, and men should be invited to volunteer from the Militia to fill those vacancies, provided they had completed their 20th year. 7, 10, or 20 per cent might thus be obtained from the Militia regiments; and, though there might possibly still remain a deficiency to be filled up, it would not be a very large one, and it could easily be supplied from the open market at the age of from 20 to 21. He admitted that such men were not to be obtained in large numbers; 25,000 or 30,000 recruits of 20 years of age could not be got, but such a balance as this might be secured. In proof of this he should refer to the regulations of the old East India Company's service. When the Company had an Army it did not forget the conditions of age as essential to health and efficiency, which, under the pressure of circumstances, had been overlooked in the British Army, for he believed that no recruit under 21 years of age was taken for the British regiments serving in India, while men were taken up to 26 years of age. By some simple procedure such as he had suggested the difficulty might to some extent be met. But there were also other considerations. The third Order which had been issued was in these terms—

> "Until further Orders enlistments in the Foot-guards and Infantry of the Line are to be enlistments for a short term of service—namely, for six years' Army service and six years' Reserve Service, without pension."

There were no exemptions or exceptions; so that, though the Acts of 1867 and 1870 distinctly laid down a power of re-engagement, that system was positively abrogated. Since giving his notice he had been satisfied that the omission of re-engagement in the Order had been unintentional, and he understood that another Order was coming out to rectify it; but as yet the Order was regarded by the Army as abrogating the system of re-engagement, which implied a pension. Now, he believed there were many noble Lords in the House of high authority who were of opinion that the pension system ought to be modified or abolished. He was not himself prepared to give a strong opinion on the matter, for it required a close investigation of the feeling not only of the Army but of that class of the population whence recruits were drawn, and a very large portion of his life having been passed abroad, he did not pretend to any acquaintance with the habits of that population. He found, however, those better able to judge of the question viewed the abolition of pensions with alarm, unless it were accompanied with large compensation. By the salutary measures taken by the War Department in the last few years it had been sought to enlist men for the service of the Crown on account of the merits of the service, instead of through the miserable falsehoods and inducements formerly held out by the recruiting sergeants. The information thus disseminated had given increased importance to the system of pensions; for the people from whom recruits were drawn had thoroughly understood that, while getting a certain portion of their emoluments in the form of daily pay, they could look forward, in the event of good conduct, and if it suited them to remain in the Army, to another important emolument in the form of a pension. Knowing something of mankind in general he suspected that the lower orders of England were able to appreciate the advantages of such a system, and that it could not be abolished without compensation without a serious effect on recruiting hereafter. The point had been a good deal dwelt upon by General Simmons. He calculated the value of the pension to each individual in the Army at £177. He arrived at this in the following manner:—

> "The practical cost to the State of holding out the inducement of pensions as a bait to young soldiers, and of working them in the manner illustrated above, may be arrived at approximately as follows:—In the three years 1863-4, and 5, the average annual number of men pensioned was 2,780, with an average pension for each of 1*s.* 1*d.* a day. The recipients being under 40 years of age, these pensions may be taken to represent a capital sum per man of about £395. Now, the whole number enlisted who would have been entitled to pensions, if they had completed their service, averaged 6,211, but as only 2,780 became entitled (the remaining 3,431 having pre-

viously disappeared from the muster rolls), the actual cost of the pensions to Government was equivalent to a payment of £177 to each man enlisted."

General Simmons had urged that if pensions were done away with—and he believed that with a system of short service the Secretary of State was right in endeavouring to get rid of them—the large sum which would be lost to the soldiers must be considered. It must be remembered that if they took away the pension—one of the great inducements offered to soldiers to serve—they would have to give the emolument in some other form. General Simmons, who, he was certain, would not have made the statement without good authority, calculated that the value of the pension which the soldier sacrificed by accepting short service amounted to £177, and that the proper compensation would be an increase of 6*d.* to his daily pay. This sum General Simmons proposed to retain in the savings banks, but that it should be the actual property of the soldier, not to be alienated on any account, but not to be paid into his hands until the soldier returned to his home on discharge, instead of giving it into his hands to be wasted from day to day. He believed, then, that if an attempt were made honestly and boldly to cure the evils to which he had invited attention no difficulty need be found in dealing with the subject. He thought they would readily get over the difficulty—he was going to say, the great crime—of inviting men to serve in the Army at a time of life when they were not fit to stand the work. Personally, he had no objection to a system of short service, and he fully sympathized with the difficulties which his right hon. Friend the Secretary of State had to encounter. He knew the pressure to which his right hon. Friend had been exposed, and he had, in common with the rest of the public, felt how impossible it was to resist that pressure. At the same time, he did not refrain from expressing a hope that some steps would be taken to cause these changes, useful and advantageous as they might ultimately prove, to be accompanied by some such conditions as those he had referred to.

LORD NORTHBROOK said, the suggestions of his noble Friend could not fail to receive the attention they deserved. It was a great satisfaction to him to feel that on the cardinal points of the policy of his right hon. Friend the Secretary of State with regard to the Army, the Government had the concurrence of his noble and gallant Friend—one of those cardinal points being to obtain an Army Reserve by means of short service. He might, perhaps, be able, by stating the manner in which these Orders came to be issued, to satisfy his noble and gallant Friend as to the great mass of the objections which he had urged against them. The Circular of the 24th of March last invited men in the Army of three years' service to join the first-class Army Reserve; and that Circular was followed by a second, stating that the permission given in the first was not intended to apply to musicians and bandsmen, and that the offer was made once for all. The circumstances under which these Circulars were issued were these:—On the last day of last year it was reported from the Adjutant General's Department of the Horse Guards that recruiting had been partially stopped in consequence of the numbers that had enlisted approaching very nearly to the limit provided by Parliament. His right hon. Friend the Secretary of State for War thought, however, that it would not be politic to stop the recruiting, and that it would be more advantageous to offer to those men in the service who would like to avail themselves of the offer, and who had served three years and bore a good character, the option of joining the first-class Army Reserve, and to fill their places by new recruits. As their Lordships might be aware, many officers well acquainted with the Army—such as the Inspector General of Recruiting—believed very few men would accept these terms; and, in fact, the number was small compared with the effective strength of the Army. Those who actually did avail themselves of the offer were 22 sergeants, 186 corporals, and 2,462 rank and file. To him it appeared as if his noble and gallant Friend had looked at the Circular with much more alarm than was necessary. The offer was one that was made at a particular time to meet a particular case, and was made, moreover, to secure an object of the highest national importance—the increase of the first-class Army Reserve. When the subject of the Reserve was under discussion on a former occasion, it was urged against the proposal to enlist men for six years in the Army and six in the Reserve, that we should have to wait six years before we could commence our Reserve; but by this means we were able to commence it at once, and so to strengthen the whole force of the country. His noble and gallant Friend (Lord Sandhurst) had said that some officers commanding regiments had stated that the effect of the offer would be to leave them in command of half-starved boys and men of bad character only. But it was only by gross exaggeration that such results could be anticipated—he was not aware of any case in which it could be correctly stated. Let them take, as an example, the infantry regiments now in Ireland. As far as he could gather from the Returns in his possession, there was not one of those regiments in which there were not more than 200 men who had served six years. So far from looking at the results of these Circulars with alarm, the Government viewed them with great satisfaction, because if they could now find a fair number of men who were willing to leave the Army and join the Army Reserve, with the perfect knowledge that in so doing they would forfeit their right to a pension and would be obliged to rejoin their colours in case of emergency, it was only reasonable to suppose that there was a large number among the population who would be willing to enlist for the shorter term of service. It appeared to him that officers too frequently lost sight of the fact that regiments were organized for service in time of war, and that all these men, whose loss they complained of, would, in case of emergency, again be found in their ranks. The next point to which his noble and gallant Friend referred was the effect which he expected these Orders to have on the regiments under orders for India. The facts did not bear out the opinions expressed on this head by his noble and gallant Friend. At the present time there were five regiments under orders for India, only one of which would be seriously affected by the Circular. This was the 70th Regiment, from which 59 men had volunteered for the first-class Army Reserve, and the regiment was about that number short of its establishment. He therefore hoped their Lordships would be satisfied with the effect of the Circular, which could have no result whatever as to the ages of the men who went to India. He was glad that his noble and gallant Friend had called attention to the great importance of not sending to India any soldiers except such as had been some little time in the service and were over the age of 20. This subject had been brought to the notice of the authorities here by the authorities in India, and therefore had not escaped the attention either of the illustrious Duke on the cross-benches (the Duke of Cambridge) or of the Secretary of State for War. The difficulty appeared to Her Majesty's Government to be by no means insuperable; the number of regiments at present sent to India was limited, and if men who were physically competent and of a proper age were allowed to volunteer for service in India from other regiments, the object desired by his noble and gallant Friend would be attained without the difficulty which he seemed to apprehend. There was only one expression in the speech of his noble and gallant Friend to which he might venture to take exception. His noble and gallant Friend ought not, in his opinion, to have spoken of the national sin of inveigling youngsters to go to a climate which sends them prematurely to the grave; because he (Lord Northbrook) was sure that the greatest possible care had been taken by that Department of the Horse Guards, that the abuses of the old system of recruiting should not be continued, and that no man should enter the Army but with his eyes open, and knowing to the full extent the advantages and disadvantages of the service for which he had enlisted. Moreover, it was now the orders to transfer from regiments ordered for service in India all men who, from youth or any other reasons, were physically unfitted to serve in a tropical climate. Some clauses in the Army Enlistment Act of 1870 were specially framed to meet the difficulty of transferring men who were unfit for foreign service to other regiments—a difficulty which had always been recognized by the authorities, but to the effectual remedying of which there had been legal obstacles up to that date. Therefore, it would be seen that, by properly exercising the powers that had been conferred upon the Secretary of State for War under the Act to which he had alluded, a sufficient Army Reserve would be obtained without impair-ing the efficiency of that branch of the service intended for service in India. So much with respect to the Circular. In reference to the subject of pensions, as to which his noble and gallant Friend had said that some explanation ought to be issued, he wished it to be clearly understood that men who enlisted for six years in the Army and another six in the Reserve would, of course, receive just the same pensions as any other class of soldiers if they were incapacitated for service in consequence of illness produced in and by service. Further, it was always intended that opportunities should be afforded to a portion of the men who had enlisted for short periods to re-engage at the expiration of their Army service—such re-engagements to be at the option of the commanding officers of the regiments and the military authorities. It had never been the intention of the Government that the Army should consist entirely of men of short service, but rather that there should be in each regiment a combination of young and old soldiers—for it was by this means only that the British Army had attained to high perfection. He could not agree with the suggestion that the pay of the short-service men should be increased in order to compensate them for the fact that they would not be entitled to pensions, and for this among other reasons—that the country would have to meet the whole of that larger pay in addition to the Army Estimates for the year, and then when the pensions of the long-service men became due they would have to be paid also; the whole going to create a financial burden which the country would very strongly and not unnaturally object to. In fact, notwithstanding the opinion of Major General Simmons, he did not believe that the chance of obtaining a pension entered very largely into the calculations of men entering the Army, because, as that officer had so well explained, many things might happen which, while impossible to be foreseen or provided against, would nullify the man's prospect of enjoying a pension. Moreover, the principle of short service would, in his opinion, prove exceedingly popular, and bring into the service men of a higher class than were now to be found in its ranks. Every attention would be paid to encouraging such men to enlist in the Army Reserve, and he was happy to be able to inform the House that arrangements were in progress, and would shortly be announced, by which preference would be given, *cæteris paribus*, in certain Departments to men who belonged to the Army Reserve. For instance, there were many places in the Post Office in which preference might very properly be given to men serving in the Army Reserve. Further, the Civil Service Commissioners had made a regulation by means of which this same class of men, as well as Pensioners, should, after passing the qualifying examinations, only be placed upon the list of candidates for employment as writers and copyists in the public offices. It was very essential, in his opinion, that in a country where we had to depend on the system of voluntary enlistment, that every encouragement should be given to men to induce them to enter the service; and the attention of the Secretary of State had been directed especially to the subject. His noble and gallant Friend had pointed out the great advantage which would accrue if the Army could obtain men of 20 years of age, instead of 18, when they first enlisted, and had alluded to the plan which he had sent to the Secretary of State, with the object of drawing all recruits for the Army from the Militia. That plan had many points which recommended it to careful consideration with a view to its possible adoption to some extent. But there was a difficulty at the foundation of it—supposing that men could not be got through the Militia, and that they could not be got elsewhere, above 20 years of age, how was the Army to be maintained? It therefore appeared to him to be unwise to lay down any limit of age. Another objection to the limit being laid down to the age for enlistment was the difficulty of ascertaining in all cases a man's real age. This was felt very much at the time when the soldier was not allowed to count his time for the service until he arrived at the age of 18. The effect of that rule was to cause the production of many fraudulent certificates, and so objectionable did the practice appear to a Royal Commission appointed to investigate the subject of recruiting, that they recommended that a man's service should date from the time he entered the Army, without reference to age, leaving it to the surgeons and the recruiters to see that men did not enter the service too young. During the last six months there had been an increase of 20,000 in the number of men, and when the increase was so great the class of recruits undoubtedly deteriorated to a certain extent; but he was glad to say that many of these recently obtained were of good quality; and he was informed, moreover, that the recruits for the artillery were of the most admirable character. In order to make his noble and gallant Friend's plan thoroughly complete, it would be necessary to supplement it in the manner suggested by himself on a former occasion. His noble and gallant Friend was present at a presentation of colours or some other ceremony connected with one of the principal Volunteer regiments in the Metropolis, and he then expressed his views very much to the same effect as he had now communicated them to their Lordships, in respect to the organization of the Army. On that occasion his noble and gallant Friend stated—what he no doubt still believed—that without compulsory service it was impossible thoroughly to carry out a scheme of recruiting for the Army; and he then recommended that the conscription should be applied to the Militia, and that the Militia should be draughted to the regiments of the Line. He (Lord Northbrook) would not occupy the time of the House by discussing whether it would be advisable to introduce compulsory service in that manner; but would content himself with saying that as we could at present fill up the ranks of the Militia with perfect ease by voluntary enlistment, it would not be fair to the people of this country to introduce any law of compulsory service in the Militia. The great object we had in view was to provide ourselves with an Army. According to his noble and gallant Friend's plan, however, compulsion would be applied to the Militia, which, with all its merits, was an inferior force, and there would be no guarantee that, after its application, the object in view would be attained. He could assure their Lordships that the Secretary of State for War was by no means insensible to the danger, by rash changes, of diminishing the number of enlistments, and that he would give his attention to any suggestions proceeding from so high an authority as his noble and gallant Friend. As far as a judgment could be at present formed, the effect of the Circular respecting short enlistment had been exceedingly satisfactory. It had been in operation only a few weeks, but during that period the number of recruits had steadily increased, and last week amounted to 288. The number of enlistments in the three weeks preceding the appearance of the Circular was 1,162, and in the three weeks afterwards it was 1,149—so that there was hardly any difference. If, however, a comparison were made of the recruiting for the month of May, 1871, including three weeks under the operation of the Circular, with the recruiting in the month of May, of former years, the result was satisfactory. The number this year was 1,534; whereas in no corresponding four weeks since 1859 had we had so large a number of recruits. In the corresponding period in 1860 the number of recruits was 1,437, and the average number since then had been 700. He did not venture absolutely to assert that the system of short enlistment would succeed; but there were good grounds for believing that it would, and if it did it would greatly benefit both the country and the Army. He hoped their Lordships would be satisfied that the effect of neither of these Circulars would be to impair the efficiency of our military force.

The Duke of CAMBRIDGE: My Lords, I am sure there is no subject connected with Army matters which is equal in importance to that which has been brought under the notice of your Lordships by my noble and gallant Friend (Lord Sandhurst) who addressed you first this evening. I think it right, however, to point out the real difficulty of the position. There are two systems by which you can obtain men for an Army. One is the system of conscription; the other is the going into the labour market and obtaining men by making them offers which they think advantageous to themselves. No other course is possible; you can only adopt one or the other of these. Hardly a remark fell from my noble and gallant Friend in which I do not concur; but all his remarks applied to a conscript Army, whereas we have an enlisted Army; and it is impossible—so far as I can judge—to adapt to an enlisted Army the system which prevails, and must prevail, and ought to prevail, when there is a conscript Army. The enlistment of the men is one of the most delicate operations which we military men have to deal with. The State requires soldiers, and at the same time it requires that the expenditure should not exceed what the country expects to be spent in that manner. The balancing in that way the expenditure and requirements of the country is one of the most delicate points we have to consider. We wish to pay nothing more than is absolutely necessary to obtain the men, and on the other hand we are bound to pay as much as will obtain them. This is a point which it takes a considerable time exactly to hit. We are now endeavouring to alter the system connected with the Army because it has been found necessary to increase the strength of our Reserves. Our Reserves have hitherto been virtually *nil* — with the exception of the Militia. We are now endeavouring to obtain a Reserve from the Army, and the measure must be a tentative one in whatever direction in which you try it until you arrive at the exact point at which you can obtain the Reserves and get the men to serve in it. If I am right in this respect, I think my noble and gallant Friend will admit that my statement of last year, which he quoted, has not been contradicted by the action of the Government this year. Since that statement was made, when the Bill was under discussion last year, circumstances have arisen which have made it necessary to increase the Army. Whether the tentative measure which is now proposed for adoption will answer, it is impossible for me or anybody connected with the Army positively to assert. It is a tentative measure, but I trust it is in the right direction, and that it is not altogether inconsistent with what I said last year. At the same time I frankly admit I have always felt great anxiety as to how the tentative measure of last year would act; and it is impossible at present to say how it will affect the Army. There is no point on which I should so fully agree with my noble and gallant Friend than that relating to the age at which men ought to be allowed to enlist; and if we could only so arrange matters that no one under 20 years old should be allowed to enlist I should certainly go along with him, for it stands to reason that a man at 20 is really and virtually a man, whereas at ages below that he may be regarded rather as a lad than as a man. My noble and gallant Friend has brought under our notice that, under the Prussian system, 22,000 out of 227,000 men who had completed their 20th year were rejected. Those of your Lordships who have not had the same opportunities as myself of dealing with the subject will not be indisposed to accept my assurance that it is almost impossible to get men, unless you take them at the ages at which we are now obliged to take them. We have gone to all the best authorities, and the answer we have invariably got is that at the age of 20 a man has settled in his own mind upon some trade, profession, or calling, and has entered upon the pursuit of it; but that he has not done so at 19, 18, or 17, and therefore we find greater facility in getting men in the open labour market at these objectionable ages than we do in getting them at the more preferable age of 20. I say most distinctly that, if it were possible not to engage a single man until he had arrived at the age of 20, it would be an enormous advantage, both to the individuals and to the State; and it would be particularly advantageous with reference to India, because it is essential that men who go out to India should have reached the advanced age of 20; but I am sorry to say that hitherto we have failed in every attempt we have made to get men of the age of 20 and upwards, and we have been obliged, in order to keep up our complements, to take men at younger ages. The proposal to pass all men through the Militia for the Army is a point which is certainly one deserving the fullest and most serious consideration; but at the same time your Lordships are aware that such a course would involve an entire change of our system. It would amount to the abolition of the Militia in its present character, and to making it a large body of recruits. No doubt the arrangements of the Government for bringing the Reserve forces and the Army together are a movement in that direction, and perhaps when this is accomplished it may be possible to adopt a mode of enlistment such as that which has been suggested; but we have not yet arrived at that point, and, whatever may be decided hereafter, we are obliged to deal with recruiting as we can under present circumstances. I say it is impossible to go into the labour market for men unless you take them at the objectionable ages referred to. In connection with this subject it may be mentioned that many men who will join the Militia are not disposed to enter the Army, and this is a fact which has been attested, as it could only be ascertained, by experience. Considerable difficulty arises from that circumstance, and although it might be got over, it is right it should be considered when a great change is in contemplation. As I said before, the enlistment of men depends upon the power you have of inducing them to enter the service; and by "inducing" I do not mean catching or entrapping them by anything like false pretences, but I mean making it worth their while to enter the service. I believe that in these days of enlightenment the attractions of a pension may be greater than my noble and gallant Friend deems them to be. I do not say that I should not gladly see pensions diminished if it were possible to diminish them; but I am afraid it is the prospect of the pension which attracts men largely, and, however large the expenditure involved may be, I am afraid it will have to be generally adopted as the best means of attracting men largely and steadily into the ranks. It may be that men would come for a larger rate of pay; but I beg most distinctly to observe that the whole ought not be given to them to spend as soon as they receive it, but, as already stated, a portion of the pay should be set aside to be given to the men when they leave the service. Here, again, a difficulty occurs. In dealing with a soldier there are no arrangements so delicate as those affecting his pay. He is perfectly satisfied if you give him his pay, but if you give him a part of it and retain the remainder to put it in the savings bank that is quite a different thing. I do not say that difficulty cannot be got over, but it is a difficulty, so sensitive are the men on the subject of pay; indeed, there is nothing on which the soldier is more sensitive; they get ideas and impressions which make them hesitate to fall into these arrangements, unless they are completely at liberty to take the full amount of their pay if they wish to do so. The point of the whole question, as long as you go into the labour market, is what will induce the men to enter the service. At the same time it must be borne in mind that there is a great change in our views with reference to the Army. In former days we kept our Army as small as possible —merely sufficient for the purpose of meeting our wants as they arose; but now our impression is that we ought at all times to have readily available a much larger force. If we are to have that it is essential that we should have a large Reserve, and you cannot form a Reserve unless men first pass through the Army. At this moment we are endeavouring to get men to pass through the Army into the Militia; but, after all, in doing so, it must be borne in mind that the efficiency of the Army is the first consideration, and the Reserve the second; but, while we are looking to the efficiency of the Army, it is essential that we should not lose sight of the Reserve which we have to create. That is another point; we have to create it; we are creating it as rapidly as possible under great pressure; and we must avail ourselves of every means we can in order to create it, so essential the Government consider its formation to be. As regards the composition of regiments, I have a strong opinion, which I expressed last year, that there must at all times be in them a considerable proportion of old and well-seasoned soldiers. Last year we passed a tentative measure to expand and amplify our means of increasing our Army by introducing a shorter period of service, and the Circular just issued does not abrogate the measure of last year. There is no new measure introduced this year as regards the length of time for which men may enlist; and the Circular is only an adaptation of the measure of last year to peculiar circumstances, with the object of obtaining 2,000 men for the Army Reserve. Seeing the difficulties we had to contend with, I hope the House will admit that nothing at all has been done to injure enlistment, and that it will consider all our measures as tentative. Both the Secretary of State and myself have always spoken of them as tentative measures, which must be put forward with great caution, great care, and great circumspection, and time will show whether or not they are in a direction to promote the efficiency of the Army. I agree that frequent changes in the system of enlistment are most objectionable, for no man is so sensitive as a soldier; he is always imagining that any change is intended to be adverse to his interests; and any idea of that kind, once entertained, expands in every direction. Therefore nothing is more essential than to act with prudence in these matters. I hope we have done nothing yet which will shake the confidence of the soldier in the conditions of the service which the State offers him; and if we have not, then the tentative measures which we have adopted have been judicious, inasmuch as it is wise to ascertain gradually how far we can proceed in the direction in which changes are contemplated. I hope I may be permitted, in conclusion, to assure your Lordships that every military measure emanates from and is initiated by the Government of the day —by the present as well as by preceding Governments; and as it is the bounden duty so it is the earnest desire of myself, and of all the military authorities, to support and assist the Government by every means in my power in carrying out whatever system of recruiting they adopt, and whatever other measures they may recommend. It is with these opinions and feelings I have invariably received with due consideration all matters submitted to my opinion by the Secretary of State for the time being, and I hope the Government will, on their part, admit that they have received the same support from myself. In the carrying out of these changes I afford all my best endeavours to carry out the spirit of the intentions of the Government, while I point out to them what are the interests of the service and of the individual soldier, and how both are bound up with the good of the State.

THE DUKE OF RICHMOND wished to say a few words before the discussion closed, his apology for addressing their Lordships, being the great importance of the subject, and the manner in which, he thought, the great interests of the country were involved in it. Their Lordships had no doubt been gratified by the speech of the noble and gallant Lord (Lord Sandhurst) who introduced the subject, and it must be a source of satisfaction to them all to find that they had so distinguished an officer among their number—one who was likely to lend to their deliberations so much practical knowledge and power of debate, such as had not always been manifested by one addressing their Lordships for the first time. He agreed with a great deal that fell from the noble and gallant Lord; but, on the other hand, he was bound to differ from some other remarks that had fallen from him. He especially agreed with him in the view he took of the Circulars which formed the subject of the present discussion. He could not agree with the remark of the noble Lord the Under Secretary of State for War, who seemed to treat the matter very lightly, and said that, after all, the Circular was a very small matter. He (the Duke of Richmond) on the other hand, believed it was anything but a small matter. It went to the very root and foundation of the system of recruiting the Army of this country: it interfered, and, as he believed, dealt injuriously with that organization of the Army to which they must look when, unfortunately, they had to assert the authority of this country by force of arms. The noble and gallant Lord had alluded to the mode in which he would increase the efficiency of the Army—a mode in which he (the Duke of Richmond) could not concur, and he was glad to find the illustrious Duke at the head of the Army also disagreed from it—he referred to the proposal of having one age for the Militia, at 18, and another for the Regular Army, at 20, and draughting men periodically from the Militia to fill the vacancies in the Army. That would be, as the illustrious Duke stated, to make the whole one enormous Army, the Militia forming the Reserve, and being placed from time to time in the ranks of the Regular force. The noble and gallant Lord spoke, no doubt, with authority on the subject of the extreme youth of the recruits who went to India, and he entirely agreed with him as to the inconvenience, not to say disasters, that might arise from such a state of things. He could mention one regiment at present under orders for India, in which one-half the strength were under 20 years of age. The noble Lord the Under Secretary of State for War would contradict him if he was wrong. The noble Lord shook his head. He did not speak without book. He referred to the 54th Regiment; and he found, from a Return recently placed on the Table of the other House of Parliament, signed by Sir Richard Airey, Adjutant General, that that regiment was 924 strong, and that 472 were under 20 years of age.

Lord NORTHBROOK said, he had not seen the Return.

The Duke of RICHMOND said, it had been laid on the Table of the House of Commons within the last few days. He disputed the statement of the noble Lord the Under Secretary of State for War when he told them that the noble and gallant Lord who commenced the discussion agreed with Her Majesty's Government in all cardinal points, because he was in favour of short service, in favour of the Reserves, and in favour of raising the character of the recruits. Why, to a great portion of this they would all subscribe. He himself wished very much to raise the character of the recruits; he wished, also to have a large Reserve, and he was disposed to agree to short service if it could be carried out with due regard to efficiency. But that was begging the whole question. They agreed to all the cardinal points if they could be carried out; but the "if" was the key of the whole position. He contended that under the orders of this Circular they would not raise the character of the recruits, and—more than that—he did not believe they would get the number of recruits they wanted. But the noble Lord the Under Secretary of State for War proposed to convert the Post Office into a sort of Chelsea Hospital, and told them that soldiers on being discharged from the Army, if good penmen, would be appointed to vacancies at St. Martin's-le-Grand on passing a competitive examination.

Lord NORTHBROOK: Not a competitive examination.

The Duke of RICHMOND: Well, at all events, he supposed there would be a test examination. But was not this an entire change of view on the part of the Government? Had they not told them that competitive examinations were the panacea for all the evils of the public offices, and that anybody had a right to be examined, and on passing a competitive examination might demand admission to any vacancy in any office whatever? The illustrious Duke had stated, with perfect correctness, that frequent changes in the mode of enlistment were very much to be deprecated. The rule could not be gainsaid that you must go into the labour market for the raw material of which you are to make your soldiers. Of course it was essential that those who were to be enlisted should know the terms and conditions of enlistment, and if these were suddenly or entirely altered great disappointment was felt, and the result was the Army became unpopular in the country districts, from which recruits were chiefly drawn. The illustrious Duke had also stated that some of the measures at least were to be looked on as tentative measures. He hoped they would be successful, but tentative measures became dangerous if carried too far. He could not at all agree with the proposal of the noble and gallant Lord that pensions should be done away with, and that in lieu of pensions there should be a higher rate of pay for soldiers during service. He could not but think such a provision would be a most injurious one in every possible way. In the first place the soldier would have more to spend: he was not likely to spend it in the most wise and prudent manner, and he would come to look to the workhouse as his inevitable end, instead of looking forward to a pension with confidence. This would have a most unfavourable effect on the minds of those whom they wished to enlist in the ranks of the Army. The noble Lord the Under Secretary of State had spoken of this Circular as a small matter—contrary to what he said last Session. He (the Duke of Richmond) would like to know what there was in the General Order, No. 24, to indicate that what was then laid down was laid down once for all? But he now understood from what had fallen from the noble Lord the Under Secretary of State that the General Order, permitting men after three years' service to volunteer for the Army Reserve, had now come to an end, and that the Reserve amounted to 2,000 men. If that were so he did not understand how the noble Lord could express satisfaction at a scheme exhibiting so small a result. Again, General Order, 39, laid down a great distinction in the enlistment; but when the noble Lord introduced his Bill of last Session he distinctly said it would not interfere with the enlistment then in existence. The noble Lord on that occasion said the Bill had been deliberately framed, and would not rashly interfere with the existing system, but that it would supplement it by giving a shorter term of service; but yet he annihilated the system by saying that men should only enlist for six years' service and six years' reserve, and that without pension That was breaking faith with those who assisted in passing the Bill. General Order, 39, laid down that until further orders the enlistment was to be for six years in the Army and six years in the Reserve, without pension; but he wished to know whether, as respects the existing system of enlistment, all the advantage of a pension after 21 years' service would remain as at present. It appeared to him that under the 3rd clause of the General Order it would be impossible to re-engage a good soldier after 12 years' service for a further period of nine years, so as to complete the term of 21 years. So far from the Order supplementing the present system, as the noble Lord stated, with a short term of enlistment, it seemed to his mind that it entirely annihilated it. Agreeing in a great deal of what the noble Lord the Under Secretary of State had stated with regard to the inducements which should be held out for men to enter the Army, he must enter his protest against the general Circular issued by the Secretary of State for War. He believed they could not get men under these Orders. A man who enlisted at 18 years of age, for 12 years' service, would not be worth much at 30, when he was thrown upon the world without occupation. It was because he believed the Circular that had been issued by the Government with regard to recruiting was unwise and impolitic, and that it was based on an unsound and injudicious principle, that he disagreed with them in the line they had taken with regard to recruiting.

THE EARL OF KIMBERLEY said, he had heard with regret the noble Duke, who thoroughly understood subjects connected with the Army, disparage the steps proposed to be taken for giving advantages in the Civil Service of the Crown to men who entered the Reserve. It was easy to sneer at the opportunity which the Post Office afforded for rewarding men entering the Reserve, but he believed that it would be found that this and similar methods of rewarding men who had served their country in the ranks were attracting much attention, and would prove to be one of the most effectual means of inducing men to enter the Army, and having served their term to go into the Reserves. With regard to the service in India, there could not be the least doubt that the youth of the recruits formed a great deduction from the efficiency of the Army in a country where efficiency was most necessary. That matter had not escaped the notice of the Secretary of State for War, who was endeavouring to make arrangements to obtain volunteers above 22 years of age for service in India from regiments at home by the offer of a bounty of one guinea. No doubt, it would be a serious thing for this country if all soldiers were to be draughted out of the Army as soon as they had three years' service. That, however, was not intended, and there had been no such result. The Order which had been referred to was issued at a particular time and under peculiar circumstances, and both the Government and the Horse Guards distinctly reserved to themselves the power of putting an end to its operation whenever they thought that a sufficient number of men had been taken from the ranks. As regarded the last General Order that had been issued—that providing for six years' service in the Army and six in the Reserve—that had been clearly explained by the illustrious Duke, whose cordial support of the measures of the Government he took that opportunity of acknowledging. He would admit that in dealing with soldiers it was not desirable to be constantly changing the plan; but when the country had a system that was not sufficiently expansive, and did not afford a Reserve of proper strength, the Government must either proceed to take tentative measures or they must make a great reform. No one, however, would deem it safe for the Government to make all at once great changes in the Army, hazarding all that might result, and therefore the only mode by which they could hope to improve the system was by adopting such tentative measures as would lead to the introduction of a new and better system. It was yet much too soon to declare whether their present scheme had succeeded, but it was satisfactory to find that it had not fallen stillborn, as was the fate of many such measures. The result of three weeks' recruiting was to prove that men would come forward, and if they continued to do so in considerable numbers the problem which the Government had to consider would, to some extent, be solved. Most of the discussions on this subject had been conducted by those who felt the great difficulty of maintaining an Army sufficient for all the purposes of this country without having recourse to a conscription. Turn the matter how they might, it was impossible for them to obtain the advantages in a volunteer Army that were to be obtained in a conscript Army. Most of those who took a part in the Army debates were quite aware of the fact, yet the two subjects had been so mixed up in the debates that it was now difficult to separate them. The time, in his opinion, was not likely to come when a system of compulsory enlistment would be resorted to in this country for either the Regular Army or the Militia. The Government were always greatly indebted to noble and gallant Lords who had a practical knowledge of the Army for the suggestions they offered; but he hoped, at the same time, that the schemes which the Government had brought forward would receive a fair and candid consideration, and that time would be given for their operation so as to enable the public to judge whether they were founded on safe principles.

LORD DE ROS said, he believed there was not a correct understanding on the matter of pensions. A young soldier thought very little about such a subject; but as soon as a man began to be a useful member of his regiment the obtaining a pension became a matter of great consideration, and to tell a man, as proposed by the noble Lord the Under Secretary for War, as an inducement to enlist, that a situation in the Post Office would be the reward of long and faithful service would be an absurdity. This country possessed a good Army, the only defect of which was its not being sufficiently numerous, and was now groping for a Reserve. How was that Reserve to be obtained? If noble Lords thought that a soldier would, on his leaving his regiment, retire to his native village, and there wait until he was recalled to the ranks, they were making a great mistake; for the fact was that when a man once quitted his military life he sought to obtain some civil occupation, and having got it he would never again quit it to return to the Army. It reminded him of Shakespeare's play, where Glendower boasts to Hotspur—

"I can call spirits from the vasty deep."

The Earl of Kimberley

To which Hotspur answers—

"Why, so can I, or so can any man;
But will they come when you do call for them?"

It was an extraordinary delusion to imagine that by getting a better class of recruit we should get a better soldier. Young men brought up to in-door trades would be exhausted after a few hours work in the trenches. They would never be able to bear the real hard life of a soldier when on active service. It was a life of hard work with very bad food, and none but labouring men could endure it. He was old enough to know that giving men increase of pay, and then holding part of it back until they left the Army, had been tried and failed. He hoped that, in attempting to obtain the Reserve force which they desired, the Government would not lose sight of the danger they ran of destroying what was now an efficient, well-disciplined, and well-organized Army.

EARL GREY said, he believed that in the present state of Europe nothing but a strong and efficient Reserve would afford security to this country, and if there was to be a Reserve in connection with the Regular Army it could only be obtained by abridging the service of the soldier, by passing him through the Army with some rapidity, and then taking measures to secure his services whenever they might be required. But that policy, if acted upon, should be acted upon with a large and comprehensive view. What he complained of in the measures of Her Majesty's Ministers was, that while adopting sound principles they did not adopt the measures necessary to give them effect, and that they made mistakes which, in his opinion, left the country to a great extent without the force that was necessary. No man, he thought, could doubt the justice and the force of what was said by the noble and gallant Lord opposite (Lord Sandhurst) with respect to the importance of not employing soldiers at too young an age. The First Napoleon, and every other distinguished military commander, had spoken plainly on the point. They said that boys when exposed to fatigue not only broke down and filled the hospitals, but were of no use in the Army. The Government had done rightly in seeing that the men who enlisted in the Army were not too old; but they had not been equally careful in the other direction, as was evident from the statement of his noble Friend behind him (the Duke of Richmond), which had not been contradicted, that of a regiment now under orders for India, more than one-half of the privates were under 20 years of age. That fact alone was sufficient to show that there had been great mismanagement somewhere. No doubt there were difficulties in the way of obtaining men of a more suitable age for the Army—but he believed they were by no means so great as were supposed. As had been said by the illustrious Duke on the cross-benches, in a country like this, where we had not compulsory service, there was only one other principle to fall back upon—that of paying the market value for what we wanted. The system of compulsory service he believed to be the most cruel, the most unjust, the most wasteful, and the most oppressive to the country of any system upon which an Army could be raised; but if we were not to have compulsory service, we must fall back upon the only other means by which we could bring men into the Army. We must offer such terms as would bring into the service the men we require. He did not doubt its being true, as had been alleged, that it was not so easy to induce men of 21 to enlist as lads of 18; but it was idle to say that there was, therefore, an insuperable difficulty in filling the ranks of the Army with grown men instead. To do this, they might establish a system by which they might enlist men at 18, but should not allow them to join their regiments before they had attained the age of 20. There would be no difficulty in having depôts to which recruits could be sent for training, and they should not be allowed to join their regiments until they were certified by the medical officers to be fit for the work before them; their time of service counting from the time when they joined their regiments. His noble Friend (Lord Northbrook) had said that a scheme was once tried of not allowing recruits to join before a certain age, but that it was abandoned because it led to so much fraud; but the same objection would not apply to the plan which he recommended. It might, no doubt, be said that as the recruits enlisted at 18 would not be allowed to join their regiments for a couple of years, the expense of the Army would be increased. That was, of course, quite true; it would be, practically, paying higher for the recruits we want; but if the terms we now offer are insufficient to attract them, we must, if we reject compulsory service, in some form or other offer higher terms. We might do this, as he had said, by enlisting back and train them for two years, or they had the alternative of going into the market, and offering such an increase of pay as would command the services of grown men. In the able pamphlet which had been referred to by the noble and gallant Lord opposite, it was proposed in lieu of pension to give an increase of pay, allowing a certain proportion to be retained until the soldier was discharged. That plan, however, was strongly condemned by his noble Friend (Lord Northbrook), who stated that though it would, no doubt, save the country some pensions hereafter it would in the meantime so increase the expenses and swell the Army Estimates that it could not be adopted. Upon that branch of the subject he would observe that if the Government incurred an increase of expenditure in devising the best possible mode of increasing the strength of the Army, that increase would not be grudged; but the argument was not of much weight when they were called upon to pay an extra £2,000,000 without being accompanied by any increase of strength or efficiency. The question was one which required to be considered with regard to the whole condition of the soldier. He believed it to be most essential that the soldiers should be so trained during their period of service in the Army that they could afterwards command the best employment which the country could afford. Unless, however, the pay was better than that now given, he believed the employment as letter carriers would scarcely be acceptable to the old soldiers. The Sappers and Miners, it was well known, on leaving the Army easily obtained employment; and he had never heard any attempt made to show that what had been done with regard to that branch of the service could not be done with regard to the Army at large. He thought the success of any provisions of the kind now proposed would depend upon the care that was taken in regard to the question of this particular training, which, if given, would afford to the country a great deal of very useful labour in various ways. But, instead of increasing the inducements to men to enter the Army, Her Majesty's Government was doing exactly the reverse, for, as had been stated by the noble Duke behind him, the effect of the last of the Circulars issued would be to abolish pensions altogether. It was not to be expected that men would give 12 of the best years of their lives to service in the Army with the knowledge that at the end of that time they would not be entitled to any retiring pension in returning to civil life. The more he looked at the whole question the more deeply he regretted that the safety of the country and the improvement of the Army had not been looked at with a larger and more comprehensive view. It appeared to him that the result of the discussions of this year, and of the money they were going to expend, would be to leave the country with a system practically very little different from that which it had hitherto possessed, and with changes, some of which might be improvements, but some of which he was afraid would be very much the reverse, while a heavy burden would be imposed upon the country without the slightest advance having been really made towards placing it in the state of security for which the nation would very willingly have consented to make very considerable sacrifices.

HOUSE OF LORDS APPELLATE JURISDICTION BILL [H.L.]

A Bill for restricting Appeals to the House of Lords—Was *presented* by The Lord WESTBURY; read 1^a. (No. 147).

House adjourned at a quarter past Eight o'clock, 'till To-morrow, Eleven o'clock.

HOUSE OF COMMONS,

Monday, 5th June, 1871.

MINUTES.]—NEW WRIT ISSUED—*For* Stafford County (Western Division), *v.* Hugo Francis Meynell Ingram, esquire, deceased.

SUPPLY—*considered in Committee*—*Resolutions* [June 1] *reported*—CIVIL SERVICE ESTIMATES.

PUBLIC BILLS—*Ordered—First Reading*—Brixton Prison* [177]; Local Government Supplemental (No. 3)* [178]; New Mint Building Site* [176].

First Reading — Oyster and Mussel Fisheries Supplemental (No. 2)* [175].

Second Reading—Metropolitan Board of Works (Loans)* [140]; Corrupt Practices Act Amendment* [152]; Judgments (Ireland)* [167].

Committee—Army Regulation [39]—R.P.

Considered as amended—Gas and Water Provisional Orders Confirmation* [128]; Norwich Voters Disfranchisement* [155]; Poor Law (Provisional Orders Confirmation)* [148].

Third Reading—Gas Works Clauses Act (1847) Amendment (No. 2)* [150], and *passed.*

Withdrawn—Vaccination (Scotland)* [118].

BANK HOLIDAYS BILL.—QUESTIONS.

MR. MACFIE asked the Lord Advocate, Whether his attention has been turned to an Amendment made in the Lords on the Bank Holidays Bill, which will introduce into Scotland certain holidays not hitherto known in that part of the kingdom, and not contemplated by this House when it passed the Bill; whether his Lordship, before the Lords Amendments were considered and adopted on Friday night without notice, was consulted by any person responsible for the conduct of business, as to the effect of that Amendment in Scotland, and its accord with Scottish principles and wants; whether his Lordship had any opportunity to arrange the postponement of the consideration of that Amendment in order to give Members time to ascertain the wishes of Scottish merchants and the Scottish people; and, whether his Lordship intends to take steps to obtain for this House an opportunity of re-considering the question that has been raised and settled by that Amendment, and to prevent surprises so far as they affect Scotland?

THE LORD ADVOCATE, in reply, said, that his attention had been directed to the subject. He was quite aware that the Amendment in question was introduced in the other House by a noble Lord with whom the principal Scotch bankers were in communication, to whom he believed that it was entirely satisfactory. He had no intention of interfering.

MR. MACFIE asked if the Lord Advocate would take steps to prevent Amendments being thus introduced by surprise in future?

THE LORD ADVOCATE said, that he was not aware that there had been any "surprise" in the matter. The Amendment was introduced in the usual manner. No doubt the consideration of it in that House had been taken at a late hour in the evening; but all the hon.

Members interested in the subject were quite informed that such would be the case.

GLEBE LOANS (IRELAND) ACT.
QUESTION.

MR. STACPOOLE asked the Chief Secretary for Ireland, If the consent of the Treasury has as yet been given to the Bill for the amendment of the Glebe Loans (Ireland) Act; and, if so, when the Bill will be introduced?

THE MARQUESS OF HARTINGTON said, in reply, that the consent of the Treasury had been given to the Bill in question. Some proposed Amendments with respect to that measure were still under consideration. He believed that the Bill would be introduced in a short time.

POOR LAW DISPENSARIES.
QUESTION.

DR. LUSH asked the President of the Poor Law Board, If he proposes to bring in a Bill to enable him to extend the system of Poor Law Dispensaries to the provinces; and, if so, when?

MR. STANSFELD said, in reply, that the time had hardly arrived for finally settling this question. It was much to be doubted whether he should be able to introduce a Bill on the subject during the course of the present Session.

SCOTLAND—RATES FOR CHURCH REPAIRS.—QUESTION.

MR. M'LAREN asked the Lord Advocate, When he intends to introduce his promised Bill respecting the abolition of Rates now levied in Scotland for the erection and repair of Churches and Manses?

THE LORD ADVOCATE said, in reply, that a Bill respecting the abolition of rates now levied in Scotland for the erection and repair of churches and manses had been prepared for a long while, and he should be glad to introduce it as soon as he saw a reasonable prospect of being able to carry it.

GOVERNMENT LAW REFORM BILLS.
QUESTION.

MR. DENMAN asked Mr. Attorney General, Whether Her Majesty's Government will cause Copies of any Communications from the Judges of the Superior Courts of Law and Equity received by the Lord Chancellor or the Law Officers during the present Session, and relating to the Government Law Reform Bills, to be laid upon the Table of the House, before the principle of those Bills is discussed?

THE ATTORNEY GENERAL said, in reply, that letters had been received by the Lord Chancellor from Judges of the Superior Law and Equity Courts during the present Session with reference to the Government Law Reform Bills, but they could not be published without the consent of the writers. He would ascertain whether there was any objection to the publication of these letters. As to the bringing in of the Government Law Reform Bills, that would in some measure depend on the state of the Business of the House.

THE DANUBIAN PRINCIPALITIES.
QUESTION.

MR. WILLIAM CARTWRIGHT asked the Under Secretary of State for Foreign Affairs, Whether he would have any objection to present to Parliament Reports and Despatches from our Diplomatic Agents at Bucharest and elsewhere, which may serve to illustrate the political condition of the Danubian Principalities?

VISCOUNT ENFIELD said, in reply, that among the Reports received by the Government with reference to the political condition of the Danubian Principalities, there was one which could be laid on the Table if the hon. Gentleman moved for it.

ELECTION INQUIRIES.—QUESTION.

MR. BROADLEY asked the First Lord of the Treasury, If he will be good enough to lay upon the Table of the House a Return of the Accounts in detail of the sums expended in connection with the Election inquiries at Beverley, Bridgwater, and Norwich; and, in case he should not feel justified in doing so, to ask the reason for such refusal?

MR. GLADSTONE: Sir, the course which has been taken by the Treasury in the matter has been this—The Treasury having been intrusted with the responsibility of inquiring into the expenses of those proceedings, has decided that, in the first instance, the public should be reimbursed by the particular community affected by those proceedings. Applications have been made—local applications—to the Treasury for the production of particulars; but the Treasury has not thought it its duty—and they had been legally advised that their view was right—to comply with such applications, because the intention of Parliament being that these election inquiries should be final, it was thought it would be opening them to re-consideration if a claim to accounts of the expenses were recognized. For my own part, I think the Treasury has been quite right in the course it has taken. With regard to laying the particulars on the Table of the House, it would not be our view to comply with such a request; but if the desire of the House to have those particulars be general, I cannot say that the House would not be entitled to demand them.

ARMY—PROMOTION BY SELECTION.

QUESTION.

LORD GARLIES asked the Secretary of State for War, Whether the regulations on the subject of Promotion in the Army by Selection, stated as "about to be laid down," have yet been framed; and when he will undertake to lay them upon the Table of the House?

MR. CARDWELL: Sir, in the Report of the Royal Commission of 1857 it is said—

> "His Royal Highness has stated that if the Returns from Inspecting Officers are fairly given, as they ought to be, and might be, there is no Officer in the Army with whose professional character the Commander-in-Chief might not be acquainted."

I stated that, in order to secure fairness of promotion, these Reports will in future be furnished in greater completeness, and be tabulated and recorded in the office of the Military Secretary, the character of whose office would be altered, and made of greater importance and of limited duration. It is intended that these changes shall be made as soon as the Bill shall become Law, and Regulations on the subject will then be approved and published.

EDUCATION (SCOTLAND) BILL.

QUESTION.

DR. LYON PLAYFAIR asked the First Lord of the Treasury, When the Government expect to carry through the measure for improving the state of Education in Scotland, which has already passed its Second Reading, and in regard to which Her Majesty, at the opening of the Session, was graciously pleased to state that it had "especial claims on the favourable consideration of Parliament?"

MR. GLADSTONE: Sir, I do not at all wonder at the anxiety of my hon. and learned Friend to obtain the best information he can on this subject. When we had introduced the Bill we were under the impression, from its reception in Scotland, that there was in that country a general concurrence in favour of its principal provisions. I have not myself had the opportunity, among the other occupations of the Session, of following accurately the discussions that have taken place on it in Scotland, nor am I able to say whether there has been any change in the attitude of public opinion in that country. We introduced the Bill, and formed an expectation of carrying it, in the belief that it was not likely to be long or obstinately contested. If there has been no change of feeling in Scotland, I can say that there has also been none on the part of the Government. I cannot give precedence to the Scotch Education Bill over the measure that stands first on the Orders to-night, or over the Ballot Bill; but we still hope and intend, in immediate succession to these Bills, to persevere with the measure for improving Scotch education, on the understanding that I have already mentioned.

NAVY—ADMIRALTY BROKERS.

QUESTION.

SIR JOHN HAY asked the First Lord of the Admiralty, Whether Shipping Agents and Brokers still continue to be employed to take up freight and procure transport; whether any Report on the working of the system has been made by the Director of Transports, and what is the tenor of that Report; and, whether it is intended to continue the system which was stated by the late First Lord of the Admiralty to be an experiment for one year only, as that time has expired?

MR. GOSCHEN said, in reply to the first Question, that no change had been introduced; to the second, that—as usually happened—the Report had found its way to the public press and to hon. Members before it had reached the First Lord of the Admiralty; and to the third, that he would answer the Question as soon as he had had the opportunity of studying the Report and submitting it to the criticism of his colleagues. The statements that had appeared in the newspapers were not correct, as no decision had yet been arrived at.

ENCROACHMENTS OF ENGLISH FISHERIES.—QUESTION.

MR. J. S. HARDY asked the President of the Board of Trade, Whether he has received any reports or complaints of French boats fishing within the three-mile limit in Rye Bay or Dungeness Bay, or of the ill-treatment of English fishermen by their crews; and, what steps are now taken by the Government to protect the rights of our fishermen in those waters?

MR. CHICHESTER FORTESCUE said, in reply, that complaints had been received, not of injury done by French fishermen, but of French fishing boats fishing within the three-mile limit. Upon the application of the Board of Trade orders had been given to Her Majesty's ship *Hector* to repeat the warnings given to those fishermen, and if they were not attended to the offenders would be brought into port and taken before the magistrates.

EAST AFRICAN SLAVE TRADE.

QUESTION.

MR. KINNAIRD asked the Under Secretary of State for Foreign Affairs, What action the Government have taken to carry out the Report of the Committee on the East African Slave Trade, dated 24 January 1870; and whether he has any objection to lay upon the Table Copies of all subsequent Correspondence that has passed on the subject?

VISCOUNT ENFIELD: Sir, Mr. Churchill, our Political Agent and Consul at Zanzibar, was instructed to make proposals founded upon the Report of the Slave Trade Committee to the late Sultan of Zanzibar, and on the death of that ruler, Dr. Kirk, who is now acting in the place of Mr. Churchill, was empowered to continue the same representations to the new Sultan of Zanzibar. All the Correspondence to the close of last year had been presented to Parliament, and there will be no objection to give the additional despatches that have passed since that time; but the rest of the Correspondence, which is departmental, and involves the opinion of the Treasury, cannot conveniently be given.

METROPOLIS—BETHNAL GREEN SCIENCE AND ART MUSEUM.

QUESTION.

MR. C. REED asked the First Commissioner of Works, When the Museum of Art and Science on Bethnal Green, the first money vote for which was taken in the year 1867, will be completed; and whether he is now prepared to name a day for the public opening of the same?

MR. AYRTON replied, that the construction of the works had been placed under the superintendence of Lieutenant Colonel Scott, who was instructed to make designs for it. He (Mr. Ayrton) had been led to believe that it would be completed at an early day; but he had received a letter from Lieutenant Colonel Scott, fixing the completion of the exterior for the 1st of October next. A great part of the building was, however, now ready to be occupied. He was not prepared to state what course would be pursued in this particular case; but under ordinary circumstances, the building would be handed over to the Department of Science and Art, when the President could decide on the proper course to be taken as regarded the opening.

POST OFFICE EMPLOYES.—QUESTION.

MR. DIXON asked the Postmaster General, Whether it is intended to increase the remuneration of those keepers of Post Offices who have been directed to open Telegraph Offices, and who assist in working the Telegraph?

MR. MONSELL replied, that it was intended to give in a great many places some remuneration to keepers of Post Offices who had been directed to open telegraph offices, and who assisted in their working. The different cases were being considered by the Post Office, and he hoped in a reasonable time that arrangements would be made to give effect to the wishes of the hon. Gentleman.

METROPOLIS—HOUSES OF PARLIAMENT APPROACHES.—QUESTION.

Mr. W. H. SMITH asked the First Commissioner of Works, When it is intended, under the powers of the Act 30 and 31 Vic. c. 40, authorizing the Commissioners of Works

> "to acquire lands and to construct an embankment for the security of the Houses of Parliament, and for the improvement of the approaches thereto,"

to proceed with the removal of the houses which have been purchased, and are now in the possession of the Office of Works, and with the construction of the embankment; and, whether there is any truth in the report that the Office of Works contemplate the delay or suspension of the works authorized by the Act, and the reletting of the buildings which they have acquired under its powers?

Mr. AYRTON, in reply, said, he was not aware that Her Majesty's Government had arrived at any determination to take down the houses in question. No steps of that kind could be taken, and no new works undertaken, unless Estimates for that purpose were laid on the Table of the House. In the Estimates of the year there was no proposal of that nature, and therefore nothing could be done during the present financial year. Until the houses referred to were pulled down they would be turned to the best account for the public service.

TREATY OF WASHINGTON. QUESTION.

Mr. DICKINSON asked the First Lord of the Treasury, Whether the existing Law is sufficient to enable the Government to carry out the Rules specified in Article VI. of the Treaty of Washington of 8th May 1871; and, if not, whether the Government will introduce a measure this Session to give them the authority necessary for the purpose?

Mr. GLADSTONE: Sir, my answer to my hon. Friend's Question must be given subject to reserve, inasmuch as we are not the final authority empowered to construe the Articles of the Treaty. As treaties are international instruments, it is not in our power to treat them as matters merely of interpretation by any particular Government. Subject only to that reservation, I have to say that, according to our belief, and the fair and reasonable interpretation of the rules contained in the article to which my hon. Friend has referred, the existing powers of the Law of England are sufficient to enable us to give full and fair effect to the Treaty, and, consequently, we have no intention whatever of applying to Parliament, as at present advised, for any alteration of the law.

APPEALS TO THE JUDICIAL COMMITTEE. QUESTION.

Major General FORESTER asked the Secretary of State for the Home Department, What arrangements have been made by the Lord President of the Council to enable the Judicial Committee of the Privy Council to dispose of eighty-six Appeals to Her Majesty in Council now set down for hearing before the long vacation?

Mr. BRUCE, in reply, said, that arrangements had been made that after the end of the term, the 30th of June, the two Lords Justices will attend for 12 days to hear appeals. That was a temporary arrangement; but the permanent arrangements for the improvement of the Appeal Court were embodied in the Bill of which his hon. and learned Friend the Attorney General had charge.

ARMY—SURREY MILITIA.—QUESTION.

Captain ARCHDALL asked the Secretary of State for War, If it is true that the Lord Lieutenant of Surrey has refused to appoint three gentlemen to Surrey Regiments of Militia, on the ground of their not living in the county; and, whether it is essential that a candidate for a commission in the Militia should reside in, or be connected by property with, the county to which the regiment belongs?

Mr. CARDWELL: Sir, I have understood that it is the wish of the Lord Lieutenant of Surrey to fill the vacancies by gentlemen of the county. It is in his own discretion whether to recommend officers from his own county, or from other counties.

Captain ARCHDALL wished to know whether it is right that a regiment joining a flying column should be deprived of its complement of officers at the caprice of the Lord Lieutenant?

MR. CARDWELL: When a question reflecting on an absent Gentleman is asked the least thing that could be done is that I should have full notice before being called upon to answer it.

CROWN RIGHTS ON THE ESSEX COAST.

QUESTION.

COLONEL RUGGLES-BRISE asked the First Commissioner of Works, Whether it is true that an arrangement is in contemplation for the sale of the Crown rights over the foreshore of that part of the Essex coast included in the South Essex Estuary and Reclamation Bill to the promoters of that Bill; and, if so, for what sum; and, whether the owners of the adjoining lands have had the option of purchasing such Crown rights?

MR. BAXTER: Sir, the rights of the Crown in the foreshore alluded to in the Question of the hon. and gallant Member were transferred by an Act of 1852 to a company formed to reclaim the foreshore. That company is in course of liquidation, and the official liquidator has agreed to sell the interest of the company to the promoters of a Bill now before Parliament. The Act of 1852 provided that the Crown should be compensated for its rights by an allotment of land. The Bill before Parliament proposes instead to give a sum of £2,000 to the Office of Woods, and £1,416 to the Board of Trade. Under these circumstances, the owners of the adjoining lands have not had the option of purchasing such Crown rights.

KEW BRIDGE.—QUESTION.

LORD GEORGE HAMILTON asked the honourable baronet the Member for Lambeth, the chairman of the joint committee for freeing the bridges on the Thames from toll, For what cause Kew Bridge, which is named in the Act of 1869 as the first bridge to be freed, is not yet open to the public, when Staines Bridge, Walton Bridge, and Kingston Bridge have been for some time past free?

SIR JAMES LAWRENCE, in reply, said, the Committee had been placed in great difficulty by the unreasonable claims of the proprietors of the bridges. The whole sum available for freeing the five bridges was £118,000; but the proprietors of one bridge alone required £126,000 for the purchase of their tolls, and the proprietors of Kew Bridge asked for £70,000, their bridge having been put up to public auction a few years back, when the upset price was £39,000. The Committee, therefore, turned their attention to three other bridges, two of which—those at Staines and at Kingston—had certain charges upon them, the payment of which would make them free to the public. The Committee thought they would be rendering a greater benefit to the public by freeing those bridges than by entering into a prolonged negotiation, and leaving them closed. It was, however, believed that the proprietors of Kew Bridge and of Hampton Court Bridge would soon moderate their demands, and as the funds in the hands of the Committee increased slightly every month, while the bridges were deteriorating and their tolls becoming less, it was possible that in a short time an equilibrium might be found between the demands of proprietors and the funds at the disposal of the Committee.

COMMUNICATION FROM CHINA.

QUESTION.

SIR JOHN LUBBOCK, in the absence of Mr. MAGNIAC, asked the Under Secretary of State for Foreign Affairs, Whether the Communication from the Chinese Government, to which reference has been made in Mr. Wade's Telegrams, and of which a *precis* has appeared in the newspapers, has yet been received from Her Majesty's representative at Pekin; if not, whether Her Majesty's Government will endeavour to procure a Copy from the French Government, by whom it is understood to have been received, and lay it upon the Table?

VISCOUNT ENFIELD, in reply, said, it had not been received. As soon as it should it would be presented to Parliament. In the meantime Her Majesty's Government would endeavour to procure a Copy, and lay it on the Table.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL —PUBLIC BUSINESS.—OBSERVATIONS.

MR. W. H. GREGORY said, that the other day an understanding had been come to—he might almost say that a pledge had been given by the noble Lord the Chief Secretary for Ireland—that he would bring up a clause, enabling the Lord Lieutenant's writ to run in England and Scotland. Under the impression that that would be done, no steps had been taken by hon. Members for framing a clause to that effect; but, since that time, he understood that Her Majesty's Government now declined to bring forward such a clause. The Bill was down for to-morrow morning; but, under the circumstances, he thought it the duty of the Government to give some further time to hon. Members to enable a clause to be prepared.

Mr. GLADSTONE said, though he should be glad to go forward with the Bill, yet, under the circumstances, the request of his hon. Friend the Member for Galway was reasonable, and therefore he would not ask the House to proceed with the Bill to-morrow. The Government would take an opportunity before the close of the week, when they should see what the arrangements of Business were to be, to say when the Bill would be brought on.

Mr. DISRAELI said, he was surprised to hear what had fallen from the right hon. Gentleman with regard to the postponement of the Westmeath Bill. The announcement of the noble Lord the Chief Secretary for Ireland had been made on Thursday, and there had been ample time to frame Amendments. Under all the circumstances, it would be agreeable to the House to know what would be the course of Business to-morrow. He should also like to know, if the House was not to proceed with the Westmeath Bill to-morrow, whether its attention might not be called to the recommendations of the Committee on the Business of the House, especially as that Committee had been appointed at the instance of Her Majesty's Government.

Mr. GLADSTONE said, the reason why he had not referred to the course of Business for to-morrow was, that he understood some hon. Members intended to dispute the proposal of the Government that there should be a Morning Sitting. The intention of the Government, at all events, was to proceed with the Army Bill that evening, and to resume its consideration at 2 o'clock to-morrow, in case the House adopted, as he hoped it would adopt, the Government proposal.

Sir JOHN PAKINGTON said, he wished to put a question to the right hon. Gentleman the Secretary of State for War, in consequence of what had occurred in the House on Friday night. There was nobody more unwilling than he was to make groundless complaints; but the House had, after three attempts, two of which were rendered unsuccessful, been counted out on that evening, and it was, he believed, understood that the Government were responsible for keeping a House on Friday. [An hon. Member: For making a House.] Well, be that as it might, he, at all events, was prevented, by the count out, from bringing a charge against the Government in connection with certain appointments in the Cornwall Rangers, of which he had given Notice; and he hoped his right hon. Friend would, under the circumstances, name a day when, without the risk of a count out, the subject might be brought on.

Mr. CARDWELL said, he had not the slightest objection to answer for his conduct with respect to the Cornwall Rangers; but he must remind his right hon. Friend the Member for Droitwich that he himself had been counted on each of the three occasions on Friday to which he alluded, there having been, he believed, nine Members of the Government present on the third occasion, when the total number of hon. Members was considerably less than 40. He had only to add that, although he should be glad of an early opportunity of considering the case of the Cornwall Rangers, yet, in the present state of Public Business, he could not name any particular day when his right hon. Friend could bring forward the subject.

ARMY REGULATION BILL—[Bill 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, and The Judge Advocate.*)

COMMITTEE. [*Progress 25th May.*]

Bill considered in Committee.

(In the Committee.)

Clause 3 (Compensation to officers holding saleable commissions).

Major General Sir PERCY HERBERT rose to move an Amendment, in line 9, after the word "officer," to insert the following:—

> "On full-pay of any purchase corps shall receive such sums as he proves to the satisfaction of the Commissioners to have been paid by him for his commissions, such sums to be paid to him on his leaving the service, or on his death to his heirs, or sooner if the Secretary of State so decides, interest at the rate of three pounds ten shillings per centum per annum being paid to him until his capital sum is repaid."

He said, that with regard to the compensation given by the Bill as it stood, the Government had adopted the course which was taken by the Commission which sat on the question of regulation prices, and which was presided over by the right hon Baronet the Member for Morpeth, which made no distinction between regulation and over-regulation prices, and that he also did not propose to do so. The scheme which he proposed was one of several which had been offered to the consideration of the Committee, based on the principle that the money which was to be returned to officers under the operation of the Bill should be returned at once. The money was paid under certain conditions of the service which were now about to be altered for the alleged benefit of the public, and it was merely an act of common honesty to place existing officers in the same position as it was intended that officers entering the Army hereafter should occupy. He must express his regret that the Government had not acceded to the Motion to refer that part of the question to a Select Committee, which might have been composed of such men as the right hon. Baronet the Member for Morpeth, and which might have come to a satisfactory conclusion as to the principle on which the money should be returned in half the number of hours which had been occupied by the discussion of the Bill in Committee of the Whole House; and he thought the question of returning the money paid for their commissions to officers was one which naturally involved considerable detail, which could be much better dealt with by a small number of Members upstairs. There was a sum of £1,500,000, which was shown, by a Return for which he had moved, to have been received by the Government within the last 16 or 17 years from officers of the Army for commissions which, he maintained, ought never to have been sold at all. General Peel had commented strongly on a former occasion on the sale of commissions by the Secretary of State, and complained that young men went to Sandhurst in the hope of getting their commissions without purchase, and that many were unable to obtain them because the commissions had been sold by the Secretary of State for the purpose of putting money into the Exchequer. Now, though several insinuations had been thrown out to the effect that the officers of the Army were trying to see what could be made out of the Bill, his Amendment was open to no imputation of that kind, inasmuch as he merely sought to give to the officers the actual sums which they had disbursed. The opponents of the Bill had been charged with treating the matter as an officer's question, rather than as a question of public policy; but the Bill dealt with officers almost exclusively, and it was impossible to discuss the matter without treating it as an officers' question. The whole basis of the opposition, however, rested not so much upon the position of the officers as upon the absence of any information as to the ultimate cost of retirement. The Government had deliberately preserved silence upon this subject, and as long as it continued to do so opposition was justified in the interest of the taxpayer. The cost was so great, and the question of efficiency was so intimately connected with it, that it was the duty of everyone interested in the Army to insist upon knowing the cost, and to prevent the future character of the Army being left to the chapter of accidents. And, moreover, the Treasury bench might in the future be occupied by men more anxious about tiding over the Session than the efficiency of the Army; and, considering how largely this Bill increased the charge for the Army, the temptation to bring down taxation by reducing the strength of the Army might be too strong for them to resist. The right hon. and gallant Baronet concluded by moving the Amendment of which he had given Notice, with the addition specifying that, until the capital sum was paid, interest, payable annually, to the amount of $3\frac{1}{2}$ per cent should accrue. That rate of interest would be fair, considering there would be a Government security.

CAPTAIN VIVIAN said, he had heard an accusation of reticence made against those who had charge of this measure; but he could only assure hon. Gentlemen that no disrespect was meant to the Committee, or to those who had addressed it in opposition to the Bill. The right hon. and gallant Baronet the Member for South Shropshire, who had moved this Amendment, had spoken for three-quarters of an hour, yet not until the last three minutes had he said a word as to the effect of the proposal that he had to submit to the Committee. He had referred to the Reserve Fund, which certainly had been misapplied in past times; but that had nothing to do with the question that the Committee had now to decide—which was, whether security should be given to officers for the money they invested in their commissions, and whether the present system should be absolutely changed. He had been charged by the right hon. and gallant Baronet with having said that the officers of the Army were trying to ascertain how much they could make out of the abolition of purchase; but he must qualify that expression, for day by day he was more convinced than before that officers outside the House were not dissatisfied with the principles on which the Bill was based. He would have been nearer the mark if he had said that those hon. Members who advocated the cause of the officers with so much zeal and earnestness—but they must forgive him for adding with so much questionable discretion—were trying to get the most they could for their clients. He did not pretend to have communicated, directly or by letter, with the commanding officers of regiments; but from what he could learn, either by himself or through friends, he could assert that the officers were satisfied with the abolition of purchase on the principles which the Government had adopted in their Bill. The right hon. and gallant Baronet, however, proposed to go on a totally different principle, for he asked the Committee to give to officers a security which they had not heretofore possessed. Hitherto an officer had only had a precarious hold on the money he had invested, for he might lose it by death; but the right hon. and gallant Baronet proposed that in future the money should be secured not only to an officer but also to his family. That was a principle which the Government, acting on behalf of the taxpayers of the country, must ask the Committee to resist.

Sir **LAWRENCE PALK** said, he must deny that officers would remain in the same position if the purchase system were abolished, and asked attention to a statement showing the present and future position of four officers, as calculated according to the Queen's regulations. Under the present system a lieutenant would be entitled to receive £1,700 for his commission if he desired to retire, his service having been 13 years abroad and three at home, and he having paid £250 for his commission. Under the provisions of the Bill that officer would receive the price of his lieutenancy, which would be £700, and, therefore, he would be a loser to the extent of £1,000. The second officer would lose £725, the third, £1,100, and the fourth, £950. That to him seemed to be a very curious way of putting officers in the same position as they would have occupied if that Bill had not been proposed. He would take the case of an ensign who joined a few years ago, paying £450 for his commission. If that Bill passed, another ensign would enter the Army without any purchase, and the two would receive precisely the same pay. But there would be this difference between them—that the one who came in without purchase had no vested right or interest in promotion; whereas the other, who had paid £450 for his commission, had purchased with that sum a right to promotion, if he conducted himself well and was not otherwise unfit for promotion. To whom was that £450 paid? He said, to the Government, because the Government sold to the parents of that young man his commission, and with it the right to promotion. Well, if purchase was to be abolished, the Government must before all things keep faith towards the officers, and were bound in honour to pay them back their money, not 25 or any less number of years hence, but immediately and down upon the nail. Again, the Government were bound to tell the taxpayers the exact sum which it would cost the country to do away with purchase, and also to do what they either could not or would not do—namely, to produce before that Bill passed their plan for re-organizing the Army. They might discuss those matters over and over again, and they were perfectly justified in doing it, for they would be guilty of a great want of duty if they let slip the slightest opportunity of ascertaining for their constituents the exact sum which that scheme would cost the country. Was he to imagine that the Government wished to cajole the country into incurring that expenditure, or that their reticence was to be attributed to the fact that they were afraid to let the country know its enormous amount? It was his intention to support the Amendment, because he felt convinced that if the Government were resolved to persevere with that measure, there was no other honourable way of dealing with the officers than by paying them their money at once; and the country ought to be told what the Bill would cost, in order that it might judge whether it was worth while incurring such a heavy outlay for a scheme which would not give them a single man or a single gun, nor in any manner improve their national defences.

Mr. CARDWELL said, he hoped he should not be deemed wanting in respect if he confined his remarks within what he conceived to be the rules of their proceedings and to the immediate question before them. The last speaker had asked to whom the purchase money received for an ensign's commission was paid. Well, it was paid to the officer whose retirement had caused the vacancy. The Government had substantially nothing more to do with it than the hon. Baronet himself had. The money, no doubt, was paid under Government rules; but it went into the pocket of the officer whose retirement had caused the vacancy. The hon. Baronet would find a complete answer to the case he had stated as to four officers, if he perused page 4, line 1 to line 11, of the Bill.

Colonel C. H. LINDSAY said, he thought it was time to return to the questions that were contained in the Amendment, which, though it was early in the debate, had been singularly departed from, and, as he had a few remarks to make in reference to the Amendment, he would, with the permission of the Committee, read it. [The hon. and gallant Member here read the Amendment.] Now, there was no doubt that this was a question of equity, and, as such, it ought to be dealt with in a judicial and in a compromising spirit. Compensation, to which this clause of the Bill especially referred, was a wide term, and it required judgment, care, and wisdom in handling it. Now, with all due deference to the hon. and gallant Member for Truro, this Amendment was one which possessed an important feature—namely, of novelty; it contained a suggestion which, as far as he knew, had never been so much as hinted at before; and it had the merit of doing full justice to the officers of the Army, and, at the same time, of reducing the liabilities which the Bill had sketched out for the taxpayers of the country—namely, payment by the State of the money which had been actually paid for commissions and no more; either on retirement, at death to the heirs, or at once. It offered another suggestion—namely, that in case the money was not paid down, a certain amount of interest—namely, 3½ per cent—should be paid. Now, he regretted to hear from the hon. and gallant Member that the Government had no intention of accepting either of those proposals; because he felt that if, for instance, it had accepted the first, one of many difficulties would have been bridged over, and much controversy would be saved. And even if it had agreed to the second proposal, a concession would have been made which would have been so far satisfactory to the officers of the Army that they would have felt that the Government were studying their interests. But as that result was not to be, and as the Government had declined both, he thought there would be a considerable difference of opinion in the minds of hon. Members opposite as to the expediency of forcing up to "another place" a measure composed, as it was, of such questionable machinery and of such doubtful necessity. Now, if such was the tone of Her Majesty's Government, they might look upon any concession at all as quite out of the question. Under these circumstances, it would be evident that the Government had decided upon forcing the measure, with all its objectionable provisions, through Parliament by the power of its majority. Now, the House of Commons, which was a shrewd judge, and one which, although severe in criticism, was, nevertheless, tempered with common-sense and justice, had not been over-fascinated with the Bill, and, if one might judge by its growing unwillingness to endorse the extravagant and doubtful policy which the Bill had enunciated, the progress of it would not be very encouraging. Now, let them see what was the difference between the Government proposals and those of his right hon. and gallant Friend the Member for South Shropshire. The Bill engaged to pay, upon retirement, the regulation and over-regulation price of commissions which were given in this or that regiment to all the officers, whether they had actually paid it or not—that was to say, if the limitation clauses be repealed according to the Secretary of State's Amendments thereon. His right hon. and gallant Friend proposed that the Government should simply pay back to each officer what he had given for his commission according to the regimental price, and no more, either at once, if the Secretary of State so decided, or at death, or on retirement, of course leaving officers who had paid nothing, or whose commissions were unsaleable, to be squared with, according to the Warrant for the pay and promotion of the Army. He also proposed that as long as the money was not paid interest should be paid upon it. Now, there could be no doubt that such an arrangement would be a more acceptable one, and it would be a more economical one, than the plan of the Government—for his right hon. and gallant Friend laid it down that no officer should get more than he had given for his commission, which was only just and fair towards the unfortunate taxpayer; for, according to the wording of the Bill, it said that the officer

> "Shall be entitled to receive a sum equal to the estimated price at which the commission held by him on the said appointed day would have been saleable if this Act had not passed;" and where he proved that, he would, "if this Act had not passed, have on such retirement received, according to the custom of his regiment, a certain sum of money: he shall be entitled to receive the over-regulation price of the commission, which was held by him on the said appointed day,"

the effect of which would be that the taxpayers would have, in many instances, to pay for over-regulation prices that had never been given. That seemed to be plain enough; but whichever way the Government chose to take it, he trusted that the Amendment of his right hon. and gallant Friend would not be lightly regarded, for there was sound reason in it. Assuming, however, that no concession was to be made, and no money paid down at once, he thought the Committee would agree with him that it was only right that the money, if detained, should not remain idle; for it stood to reason that if the State appropriated the vested property of the officers of the Army—which it would do if it did not pay it off when it took it—and if it deprived them of the use of it during their period of service, and was only prepared to repay it on retirement—he said, it stood to reason, that upon all the principles upon which commercial transactions were based, interest should be paid upon the money so retained. Now, that was one of the two questions which ought to be fairly and honestly argued by those who thoroughly understood it, for it was not so much a military question as a commercial one, and also a taxpayer's question; but it was one of pecuniary interest to the officers of the Army, who, be it remembered, were not in a position to be heard, and who looked to the military Members in that House to attend to their interests. He said, he trusted that the question would be fairly argued, and, in doing so, that the sentiments which had been expressed by the Secretary of State before Whitsuntide might not be again pressed upon the Committee, for he did not think they were generous or tenable. That right hon. Gentleman said, in alluding to the question of compensation, that

> "It was no part of the business of Parliament, in abolishing purchase, to make that system turn out more advantageous to existing officers than it actually was at the present moment."

And, in the same breath, he said—

> "The business of Parliament was to give complete indemnity, neither more nor less, to those affected by what it was now doing."

Now, in the first place, officers of the Army did not want to gain any pecuniary advantage by the abolition of purchase—they merely wanted justice to be done to them; and, in the second place, how could complete indemnification—which was nothing more nor less than compensation in every shape—be given if the State withheld the usual payment of interest upon money not its own, the property of several thousand proprietors, and which was retained against the will of those proprietors, and when the money so withheld was forcibly appropriated by the legislation of a majority? The injustice was obvious. The Secretary of State also said—

> "That it was impossible in minute arrangements to do perfect and accurate justice in every case, then the balance would be cast in favour of the officer."

Now, that being the right hon. Gentleman's opinion there ought not to be much difference between them, for what the Amendment asked was that accurate justice should be done, and that the balance, if favourable, should be applied to the transaction, and that the interest of money detained should be paid in the usual way of business. But the Secretary of State objected to the officers of the Army being allowed to remain in the position they stood in before purchase was abolished by giving them back the regimental price as soon as it was so abolished by Act of Parliament. And why did he? On ungenerous and unsympathizing grounds. He said—

> "They should not be left in the position of pre-eminence which the regulation price had given them."

And he qualified that opinion by saying—

> "That if the Committee were to say that it would give back to the purchase officer the money he spent in obtaining priority, an injustice would be done both to the non-purchase officer and the taxpayer."

Well, he thought such arguments were calculated to do more to confuse this intricate and difficult question than could possibly be imagined. Now, in order to explain the hard-and-fast views of the Government he would give another illustration. When the hon. and gallant Member for Bewdley (Colonel Anson) remarked a short time ago that the purchase officers came into the service expecting the purchase system would be continued, and that it was very hard upon a major who was expecting the command of a regiment not to be allowed to purchase the next step of lieutenant colonel, what was the reply of the Secretary of State—it was an interrogatory. He said—

> "But what was the position of the non-purchase officer who happened to be the senior major," (mark, a non-purchase officer the senior major) "was he to be passed over by an officer who had obtained his position by purchase, and was the latter officer to receive back his purchase money, and, at the same time, retain his priority?"

That was a clear index of the right hon. Gentleman's mind that on no account would he pay any money to an officer while he was serving. Now, he wished to ask, had the right hon. Gentleman fully considered the relative position of those officers — namely, the officer who had become senior major without paying a farthing, and the officer who had only passed over his head to the lieutenant colonelcy, and who had not only paid for it, but for every step of promotion in the regiment besides? If not, he would find that the one would be a just set-off against the other, because the non-purchase officer had risked nothing and had got all his steps but one; and the purchase officer, who was only one step in advance, had for years risked a considerable sum for which he received no interest, and which would have been lost to his family if he had died in time of peace. Besides which, the non-purchase officer, it must be remembered, would not be left in the lurch—he would be provided for, if his commission was not saleable, by the Royal Warrant for the pay and promotion for the Army. It said in the Bill, that—

> "In the case of an officer holding a commission the full price of which—if such commission had been sold—he would not be entitled to receive, shall include any allowance made in respect of such commission by the said Warrant and regulation on account of service, whether performed before or after a certain appointed day."

And what was the rate at which the value of such service should be calculated? It said—

> "It shall be £50 for every year of home service, and £100 for every year of foreign service;"

so that no injustice would be done to the non-purchase officer. With respect to the subject of interest *versus* pay, there was no doubt that they were two very different things. Pay could not be conjured into interest, because the money received by officers was nothing more or less than wages for military service, and everyone knew that it was, in all conscience, small enough. There was surely, therefore, no justice in withholding the interest of an officer's money because the State happened to become the temporary guardian of it. Officers must be placed on an equal footing to be just, and it could not be effected if the money was not paid down or interest given until it was paid: it must be either one or the other. For instance, take two officers serving in the same regiment, of precisely the same rank, and drawing, of course, the same pay, to obtain which, one had paid money and the other had paid none. How could they be on equal terms if the purchase officer was not to be allowed interest for his money so retained by the State, not only on account of the deadness of the capital as far as he was concerned, but because of the loss of interest, to neither of which results was the non-purchase officer liable? He confessed he could not understand why the Secretary of State should grudge a purchase officer priority—or pre-eminence as he called it—when he had paid for it, and purchased his prospective right to further promotion, and risked his money, which right, so purchased, was to be swept away without returning him his money on demand as an officer in Her Majesty's service. The scheme of the Government was no doubt fair and just to those who wished to leave the service at once; but not so to officers who wished to remain in the profesion they had adopted. He could hardly think that the refusal on the part of the Government to pay the money down was intended as a means to drive officers out of the service with a view of effecting an immediate flow of promotion, and thereby stave off the announcement of its plans till a more convenient season, when its immediate responsibilities might have ceased to exist. But what else could it mean? But whether it was so or not, all was still in confusion; the plan of selection was still unknown; the conditions and cost of retirement, half-pay and pensions, were equally dark. Therefore, until those matters were settled the Army would undoubtedly stop the way, and would remain in its present crysallis state, between disorganization on the one hand and unpopularity on the other, unsettled and discontented; so that he might well exclaim with Claudio in *Much Ado About Nothing*—which by-the-by was very applicable to the Government measure in question—

> "O what men dare do! what men may do!
> What men daily do! not knowing what they do!"

SIR GEORGE GREY said, he did not know how it was possible for the Government to adopt this Amendment with the slightest regard to the interests of the officers of the Army or to the interests of the taxpayers and the country generally. Nor could he see what claim in equity officers could have to the advantageous terms which the right hon. and gallant Baronet the Member for South Shropshire would give them.

MAJOR GENERAL SIR PERCY HERBERT explained that he only proposed that officers serving on full-pay—not all officers of the Army—should receive the regulation and over-regulation prices of such commissions as they had purchased.

SIR GEORGE GREY said, that being so, an officer commanding a regiment on full-pay might sell out to-morrow, and get from the Government the full price of every commission which he had purchased, including regulation and over-regulation, at fancy prices. Why, it had been given in evidence that in one case a lieutenant colonel of cavalry gave £17,000 for his commission, and the right hon. and gallant Member would allow such an officer to claim that amount from the Government. Or, if an officer had paid a more reasonable sum, he might claim from the Government, while serving in his regiment, the whole sum which he had given for regulation and over-regulation, although, perhaps, he had not the remotest intention of selling out, and might be within six months of becoming major general. What pretence could there be for giving such terms to officers who never meant to make money by the transaction; but who had invested the amount with the view of becoming major-generals and generals, and spending their lives in the Army? The proposal was so extravagant that he thought it was scarcely necessary to argue the expediency of performing it.

MAJOR GENERAL SIR PERCY HERBERT observed, that he had particularly stated that he should be ready to restrict the operation of his Amendment to the officers who were at present affected by the Bill.

COLONEL ANSON said, he was prepared to deny the statements of the right hon. Gentleman the Secretary of State for War that the sum of £450 paid by the ensign entering the Army as the price of his commission went into the pocket of the retiring officer. Since the Crimean War no less than one-third of the sums which had been extracted from the pockets of officers as the prices of their commissions had been appropriated by the Government. Not one of the arguments which had been brought forward in the House on behalf of the officers of the Army had been answered by those who sat upon the Treasury bench, for the Government had always evaded the point at issue—namely, that the contract which had been entered into with the officers had been broken. He admitted that the Bill was just as far as it affected officers about to leave the service; but what he and other hon. and gallant Members had been hammering and hammering at night after night, and should continue to hammer, into the mind of the right hon. Gentleman, was that it was unjust as far as it affected the officers who intended to remain in the Army, for those officers had paid certain large sums of money upon implied conditions, such as a certain amount of freedom to be enjoyed in exchanging about from one climate or regiment to another, and the absence of uncertainty with regard to promotion, there being no dread of favouritism, or exterior influences, so long as they did their duty, and the terms of those conditions the Bill proposed to alter. He had received from an officer a written communication to the effect that there could not be a greater mistake than to suppose that exchanges were made exclusively for the benefit of rich officers; exchanges were to the advantage of rich and poor, but the latter were very much the greater gainers by the old established custom, as it saved the commissions of many hundreds of good officers who, if there were no such practice, would have to sell out and leave the service to pay their debts. The officers of the Army were helpless on this question, and, therefore, the Government persevered with their proposals. They were not like the licensed victuallers, who got up an agitation that made the Government drop like a red-hot poker the Bill they had introduced with reference to publichouses. The hon. and gallant Member for Truro (Captain Vivian) had said that this Bill was popular among the officers of the Army. With regard to that, he (Colonel Anson) had repeatedly suggested that the Government should submit the 3rd clause of the Bill to a Select Committee of the House of Commons, who, in ten days or a fortnight, would be able to ascertain what was the feeling of the officers on this subject. He was aware that a number of persons were going about as War Office jackals to discover officers who wished to realize the value of their commissions, and who were, therefore, anxious that the Bill should pass in order to realize their money. But the great mass of the officers in the Army—the captains, lieutenants, and ensigns, were strongly opposed to the proposition of the Government, and if this Bill became law, the discontent among them would be greater than it was now. He would warn the Government against what they were now doing by reminding them of the result of that measure which was passed some years ago for the amalgamation of the Indian Army with our Army. That measure was passed without the guidance of anybody who could have warned the Government of the result, and that amalgamation had been a constant curse to every Secretary for War ever since. He trusted that the Committee, before inflicting a gross injustice on the officers in the Army, would carefully consider the subject, and especially the effect of the 3rd clause.

MR. CANDLISH said, the hon. and gallant Member for Abingdon (Colonel C. H. Lindsay) contended that the 3rd clause was a great protection to officers, and fairly secured them against loss by the proposed change. As to the Amendment now before the Committee, it simply amounted to a proposal to give an officer £175 a-year in addition to his salary in the British Army. That could not be called justice, and if it was a sample of the economy advocated on the Opposition benches, the Liberal Members might well have faith in the right hon. Gentleman the Secretary of State for War. As for the officers not being in a position to speak for themselves, why, if justice were on their side, the English people would be on their side also. ["Hear, hear!"] Would the noble Lord opposite, who cheered so vigorously, point out the justice of the proposal?

VISCOUNT ROYSTON said, he had cheered because he, too, believed the people of England would support him in the view he took of this question, in opposition to that of the Government. Hon. Members had talked very much about an appeal to the country. He would like very much to appeal to the country on this question. [MR. CANDLISH: On this 3rd clause?] He was speaking of the whole question. The hon. Member had personally alluded to him, and therefore he rose to make a few remarks. The hon. Member had spoken of the question of justice. He would state that if the officers were to be placed on an entirely different footing to that in which they previously stood, justice would not be done to them until all claims and all vested interests existing at the present moment had been fully compensated. They ought to receive all the money which they had paid for their commissions, and they ought to receive a sum as interest for the money which they had so invested. The Press of the country—at least, a portion of it—said that if the officers did not accept the terms now offered them they would suffer hereafter; but the vested interests of Englishmen, whether officers of the Army or private individuals, must be respected, because the law of England was on their side. The Bill was so despicable that scarcely anyone in the House or out of the House could be got to support it, and yet hon. Members were day after day, and night after night, insulted by the Secretary of State for War—["Order!"] [The CHAIRMAN: The noble Lord is not in Order in saying that he was insulted.] He begged pardon if he were out of Order, and he would willingly withdraw any expression which he had used improperly. What he meant to convey to the House was, that while hon. Members who were opposed to the Bill persisted consistently in their opposition to it, they were accused by the Government of retarding the Business of the House. In "another place" he had heard a military authority, one lately raised by the Government to a high position, deprecate this Bill in language far stronger than anything which he had heard uttered by hon. Members in that House, and when he heard such opinions expressed by distinguished military officers, he thought that individuals like himself were not to be blamed for fighting an uphill-battle against so preposterous and shameful a measure. He felt assured that whenever the Government made an appeal to the country in reference to Army organization, they would find that there prevailed a decided opinion against the present measure.

MAJOR GENERAL SIR PERCY HERBERT said, that believing justice would be done to the officers of the Army, sooner or later, whether in this Parliament or another, he would not trouble the Committee to divide on his Amendment.

Amendment, by leave, *withdrawn.*

Viscount Royston

SIR GEORGE JENKINSON then moved, as another Amendment to the same clause, to insert a proviso, that—

> "If he has purchased the said commission or any step of the same, receive interest on the regulation price of such commission, at the rate of four pounds per centum per annum in addition to the established pay of his rank; and every such officer shall."

By the Returns that had been issued it appeared that, in round numbers, the estimated value of regulation and over-regulation prices was £8,000,000, of which £3,000,000 were for the latter and £5,000,000 for the former. It was also expected that £1,200,000 would be paid off in the course of the ensuing year; so that the whole sum on which the Government was asked to pay interest to the officers was only £3,280,000; by so small an expenditure might they accomplish an act of undeniable justice to the officers of the Army. He thought that an officer should receive a fair percentage on his money—if not 4 per cent, he would be satisfied with 3½ or 3. He really was at a loss to understand how any man could deny that, so long as the Government retained the money and the services of the officers, they ought also to observe the conditions upon which the original compact was based. He trusted that, even if unable to announce his decision to-night, the Secretary for War would consent to take the matter into his careful consideration.

MR. CARDWELL said, that he was sorry he could not accept the Amendment. The Government was not prepared to anticipate in any way the time when those payments were to be made.

MR. G. B. GREGORY thought the payment of interest in case the money were not paid down was a simple matter of justice. The question was—"Do you, by this Bill, alter the *status* of the officers of the Army?" This was done both directly and indirectly, and therefore they ought to receive what was admitted to be due to them, or, in default, interest thereupon. For that reason he must support the Amendment.

SIR DOMINIC CORRIGAN said, there were no worse enemies of the Army than those who opposed this Bill, for the discussions it had given rise to had enlightened the public as to the facts of the case. The middle classes were now asking upon what principles of justice they were required to pay an additional

2*d.* income tax to recoup officers of the Army for over-regulation money for expenditure incurred by them as parties to an illegal practice. If the Bill were thrown out—and his constituents anxiously desired it should be—a new measure should be introduced next year less generous, but strictly just, giving to officers only the regulation money; for this is the view in which the commercial man will now regard the question before us. What course would the country pursue were the fact ever to occur that promotion in any Department of the Civil Service was regulated by a system of private bonus? It would let the wrongdoers be the losers; and if this Bill failed, the country would demand justice for itself in relation to the over-regulation money. Reference had been made to the Balaklava Charge as a proof that the present system produced brave officers; but if that Charge proved anything, it proved that it was high time science should take the place of purchase; for had there been men of science instead of men of purchase as guides on that occasion, that fatal Charge would not have taken place, and we should not now have to deplore the wanton sacrifice of some of our best blood. He would most earnestly counsel hon. and gallant Gentlemen to withdraw their opposition to the measure, for, like the look-out from the mast-head at sea, who sees the forthcoming storm arising on the horizon in the shape of a cloud no larger than a man's hand, he saw the rising of an opposition which would force terms on the Army much less liberal than those now offered.

COLONEL CORBETT said, he must contend that the tacit sanction given by the authorities to the payment of over-regulation money made it obligatory on the Government to repay it. If no interest for their money was given to purchase officers after the purchase system was abolished, and if officers who had purchased and those who had not were to receive the same pay, heartburnings and a strong sense of injustice would exist in the Army. He believed, from the Petitions which had been presented, that the feeling of the country was rising against the Bill; he supposed it was because the taxpayers considered they had been humbugged into permitting the extra two-penny income tax to be expended for so little purpose. For the sake of consistency, he thought the right hon. Gentleman the Secretary of State for War ought to accept the Amendment.

LORD ELCHO said, that on a former night an hon. Baronet opposite (Sir Francis Goldsmid) had, by his injudicious support of that Bill, added fuel to a debate which had hardly any fire in it, and a conflagration, which the Prime Minister had reason to deprecate, raged for several hours as the consequence. That evening another speech of a similar character, calculated to stimulate and inflame debate, had been delivered by another hon. Baronet opposite (Sir Dominic Corrigan). For himself, he had had no intention of speaking on the present occasion; but he had fallen a victim to the seductions of the hon. Baronet, who had appeared before them in the double character of Cassandra and a small boy on board ship, who saw a storm brewing, he did not exactly say where. The hon. Baronet said, that on account of the opposition offered to that Bill in that House, the people of this country were going to turn against the officers of the Army. He, for one, did not believe that the people would do anything so unjust and so ungenerous. He quite admitted that if that Bill were once withdrawn, they probably would not see it again, nor any other Bill for abolishing purchase. The people did not know anything of that question, which was entirely new, and one peculiar to the Trevelyans. ["No!"] He would repeat that statement. Had that question been treated in any of the hustings speeches of any hon. Gentleman? ["Yes!"] In how many? [Mr. MUNDELLA: In the speeches of almost every Liberal Member.] Then they could not have been reported. They would not dare to say it was a question which had been before the country. [Mr. MUNDELLA: Yes!] What, at the elections? [Mr. MUNDELLA: Yes!] He maintained deliberately that the question of purchase had never been ventilated in the country — that the country was ignorant of it; and all he hoped was, that if that Bill were withdrawn, they would have a dissolution upon the question. And on what ground did he say that? Not in the interest of the officers. He had never stood up there as the advocate of the officers, although he wished, incidentally, in dealing with that question, that justice should be done to them. He took up the question in the interest of the British taxpayer; and when the Secretary of State and his two aides could not deny that every advantage they sought by the abolition of purchase could be fully gained under the present system, he thought that measure proposed a wicked waste of public money. The Petitions presented to that House, and also the divisions taken in it, showed that the question was beginning to be better understood, and that the eyes of the taxpayers were being opened. The whole of this great question, he thought, had degenerated into a squabble about the abolition of purchase. The Bill had been introduced not with the sole object of affecting the position of the officers in the Army, but to meet the national cry for safety and security, and to enable this country to occupy her proper position in Europe; and with regard to that object the proposal of the Government involved a great injustice to the officers, while, if the Bill were passed, the country would not be one iota the stronger for it. The whole Government scheme had been denounced root and branch by the noble Lord and gallant General who had been promoted to the other House for the purpose of advising the Government with reference to this measure. When this question came to be properly understood throughout the country, certain hon. Members would not fear to meet their constituents; but he begged to state that he in no way referred to those hon. Members who supported the Government in a wild and wanton expenditure for no purpose whatever. When a man rose with the gift of prophecy, he was inclined to turn a deaf ear to the prophecy, so far as regarded its tendency. Thus, in the present instance, the tendency of the prophecy was to frighten the House with regard to the future. But he hoped that the friends of officers, whether within or without the House, would not be alarmed at such a prophecy, for if the present Bill should be thrown out the officers would be much better treated in any future Bill which might be introduced. He did not know whether it was the intention of the hon. Baronet to go to a division upon this question; but he believed the object of the Amendment to be, as far as possible, to alleviate the hardship and the injustice of the Government scheme. He contended the measure was an unjust one, and thought that the Gentlemen who never served, who had no relatives in the Army, who had never attended to the question, but who had voted with the Government for fear of the result of an election, could not be either impartial or unexceptionable judges of the question at issue. He challenged those who sat on the Treasury bench to say whether or not the State had derived any benefit from the sale of commissions, and whether the payment made by the officer entering went into the pockets of the officer leaving the service. The hon. and gallant Gentleman the Financial Secretary had assured the House that the officers of the Army were in favour of the Bill; but the hon. and gallant Member for Bewdley (Colonel Anson) had stated that he had received letters from 1,800 officers expressing an opinion adverse to it. He trusted that the hon. and gallant Member would, in the course of the debate, read those 1,800 letters, so that the House might ascertain what was the real opinion of the officers on the subject. It had been remarked that hon. and gallant Members of that House, being interested parties, had no right to give an opinion on this question; but when shipowners were listened to on shipping matters, naval men on naval questions, bankers on financial matters, and lawyers on legal reforms, he could not see why the only persons whose opinions ought to be disregarded on military matters should be officers in Her Majesty's service who had served with distinction in all parts of the world. As it was, the Government were advised in this matter by the right hon. and gallant Gentleman the Surveyor General of the Ordnance, who had not been actively engaged in military service, and by the hon. and gallant Gentleman the Financial Secretary, who had served on several Military Commissions, but who had had no military experience whatever. If the Amendment were pressed to a division, he should feel it is duty to vote for it. The hon. and gallant Gentleman the Financial Secretary had stated to-night that the Government were prepared to attend to any reasonable proposition, and he trusted his right hon. Friend the Secretary for War would state what they considered a "reasonable" proposition, because the proposition which brought the Government down to a majority of 16 before the Recess, was supported by their great advocate in the Press, the leading journal *The Times*, which expressed a hope that the Government would adopt it.

Sir HENRY STORKS, replying to the noble Lord's (Lord Elcho's) first question, said, that when an officer sold out, the promotion went through the regiment, the purchase money of the ensign who entered the regiment going to make up the purchase money of the lieutenant colonel who sold out. Supposing that an officer applied for permission to sell his commission, and that he was not entitled to receive the whole sum, the balance which he did not receive went to the Reserve Fund. About this Reserve Fund a great deal had been said. The late Lord Herbert, when Secretary of State for War, sold a certain number of ensigncies for the purpose of adding to that fund. A great deal had been said also about the way in which that money had been laid out, and it had been alleged that officers of the Gentlemen-at-Arms had been paid the value of their commissions out of that fund. Admitting he was not prepared to defend all the payments which had been made out of that fund, he must, nevertheless, remind the Committee that many offices formerly held by, and paid for by civilians, had been bestowed on military officers of distinction, the original holders having, of course, been re-paid their money. Again, the Reserve Fund had been applied for the purpose of reducing half-pay. Before sitting down, he desired to remark that every time the hon. and gallant Member for Bewdley (Colonel Anson) addressed the House on this subject, his speech had contained a deprecation and a threat. In the first place, the hon. and gallant Gentleman always deprecated the introduction of any personal allusions into the discussion; but, in fact, no one had been more personal in his allusions than the hon. and gallant Gentleman, or had instilled more venom into his remarks. It was not worth while alluding to what the hon. and gallant Gentleman had said of him to-night; but as the noble Lord opposite (Lord Elcho) had referred to him by name, he would leave it to his own good taste to determine whether he had treated him in the way he ought to have done. As to the threat used by the hon. and gallant Member for Bewdley, it was that discontent existed in the Army, and that it would probably increase. Now, that there was any feeling of discontent in the Army he distinctly denied, and he should not be convinced to the contrary, even by the 1,800 letters which had been referred to.

Lord ELCHO said, that if anything he had said had given the slightest pain to the right hon. and gallant Gentleman, he regretted having said it. At the same time, however, he maintained his right to point out that the right hon. and gallant Gentleman had not seen active service.

Sir HENRY STORKS remarked, that he had always gone where he had been ordered to go. In his judgment, it was not right to introduce these personal matters into the discussion. Every hon. Member would, he believed, do him the justice to say that he had never introduced them.

The CHAIRMAN recalled the Committee to the question before it, and read the clause and the Amendment under discussion.

Colonel WILMOT said, he must remind hon. Members that only one-fourth of the extra 2*d.* of the income tax was required to compensate officers of the Army under this Bill during the present year, and that the remaining three-fourths was required to make up the deficiency of military stores due to the false economy of last year. As to the unpopularity of this Bill with the officers of the Army, he knew from conversation with them, the views of several commanding officers, senior majors, and senior captains, who unanimously condemned it as a bad Bill. Their dislike to the Bill did not arise so much from its treatment of themselves in regard to the purchase system as from the utter absence of any scheme to replace it. They had no confidence whatever in the reorganizing power of the Government.

Sir WILLIAM RUSSELL said, he would support the Amendment, unless the Government showed some disposition fairly to consider the claims of those officers who intended to continue in the service. Hitherto the right hon. Gentleman had met every proposal made in their behalf with a determination to stand by the Bill, the whole Bill, and nothing but the Bill. He (Sir William Russell) did not stand up for the rich man, who could afford to pay £15,000 for his lieutenant colonelcy, or his class, who wished only to remain in the

Army for a year or two, but for the poor officers who intended to remain in it as their profession; and he was perfectly satisfied if the Committee really understood their case, they should insist on the Government modifying what he believed to be a most unjust proposal. He would almost call it an attempt at petty larceny upon those officers. ["No, no!"] He would take the case of the hon. Member who said "No, no!" He believed he had a son in the Army. He had paid £700 for regulation and £150 for over-regulation price. Under the Government scheme, he would never receive one shilling of that money till after 25 years' service, when on retirement he would receive £150, the Government pocketing the £700. On the other hand, the scheme held out to the rich man the prospect in a very few years of getting back every shilling of his money. The Bill was exceedingly fair to those who wished to leave the Army, but most unfair to those who wished to remain in it.

Sir JOHN PAKINGTON said, he wished to say a few words with reference to what had fallen from the right hon. and gallant Gentleman the Surveyor General of the Ordnance. In answer to the hon. and gallant Gentleman the Member for Bewdley, the Surveyor General had declared it as his own opinion, that this Bill was not unpopular with the officers of the Army. Now, how did he support that opinion? He said it was all very well going into mess-rooms and barrack-yards; but where could they better learn the opinions of officers than in mess-rooms and barrack-yards? The Surveyor General said this measure was not out of favour with the Army. Now, admitting the weight which justly attached to any opinion of the Surveyor General, he must say he did not consider his unsupported opinion as equivalent to the number of letters received by the hon. and gallant Member for Bewdley. But it was not only in mess-rooms, barrack-yards, and letters that the opinion of officers and the public had been declared. This question had been talked of out-of-doors by military men and civilians, by Whigs, Tories, and Radicals. He himself had talked with men of all classes, and he had met with no one who really approved and supported the Bill. There never was a measure which met with less favour.

Sir William Russell

Colonel STUART KNOX said, he would quote the statement of the right hon. Gentleman the Secretary of State for War on the 16th of February—"That the object of his scheme of Army re-organization was to combine in one complete whole all branches of our military force," and said they wanted to know how that scheme was to be carried out. The Government had told them next to nothing, and right hon. Gentlemen were indignant when any questions were asked. What was the real origin of purchase? When the regiments were originally raised, the Government said to officers—"You shall have commissions, if you raise the men required;" so that the State actually purchased those regiments with the officers' money. Yet it was now doubted whether the officers had a right to that money. He hoped that the Secretary for War would postpone the present clause, and so give time to the country fully to consider it. Lord Sandhurst, and many distinguished officers, were now in the House of Lords, and he would bear testimony against a Bill that would certainly destroy the military power of this country.

Sir EDWARD BULLER said, he must observe that with regard to the abolition of purchase, that question had been settled by the decided majority of the House, and as to compensation, everyone admitted that in reference to those officers who left the service the terms were liberal and just. Then the question arose, were the terms fair to those who remained in the service? In his opinion they were, for they would place every officer in as good a position as he stood in before. The officer who had purchased one or two steps would get his future steps without purchase, and would enter into fair competition with the officers entering the Army under the proposed new system. He confessed it seemed to him that those hon. Gentlemen who advocated exceptional claims on behalf of officers showed more zeal than discretion. He regarded the Bill of the Government as a very fair and just measure

Lord EUSTACE CECIL said, that with regard to the vested interests of the officers, the Government seemed not to understand what they really were, but took a sort of commercial view of the matter, and regarded the officer as merely having his commission to sell, as a grocer sold a bag of sugar over the counter. The officers, however, did not care so much about their money as their promotion. The officer who bought his commission bought the customary, though not the legal, right of not being superseded, provided there was nothing against his character or capacity, as also the right of contributing to a fund, by means of which the advanced to the head of his regiment. All this was put an end to by the Government system of selection, to which the officers of the Army objected. The system of selection was the sting of the matter. It was all very well to say that the system would only deal with the incapable officer, but it was not fair to him, whose money the Government had taken and whom the Government had kept in the service, to turn round and tell him, if he did not like the new system, he might leave the service. It was only in a Select Committee up stairs that this subject could be properly considered. The Government had proposed that it should be inquired into by a Commission, but they had never given the names of the Commissioners; and unless they did, it would be impossible to know whether the officers of the Army would have confidence in the names of those the Government might propose. Unless the Government re-considered these clauses and the Amendments, with the view of securing justice to the officers, they would not be able to pass the Bill in "another place."

MR. R. SHAW said, there was no force in the argument that compensation should be given to the officers who might be superseded under this measure, because they themselves had superseded other officers.

COLONEL NORTH said, he had conversed with a great number of officers on this subject, and he believed that no Bill that was ever introduced with regard to the Army was viewed with greater dislike than this Bill by the officers of the whole Army. If it were a matter of pounds, shillings, and pence, the offer of the Government was as liberal as it could be. But his objection to the Bill, which he would oppose line by line and at every stage, was that it would be the destruction of the Army. If his right hon. Friend the Secretary of State for War would show what under this measure would be the chance of retirement and flow of promotion, he believed the opposition to the Bill would cease; but his right hon. Friend would not do so, and the House could not take a leap in the dark.

THE CHAIRMAN said, he wished to call attention to what the Amendment before them was; and he read it as it appeared upon the Paper.

MR. M. CHAMBERS, as an old non-purchasing officer opposed to the abolition of purchase, begged leave to protest against the commercial principle of the proposition before the Committee, which was substantially that, as to the money invested in the purchase of commissions in the honourable profession of the Army, officers should be dealt with in the same way as a man who had invested capital in buying or carrying on a trade, or in any other speculative adventure.

LORD GARLIES said, that this clause should have come as a corrollary to the 2nd clause, which provided that after a certain day, to be fixed by Her Majesty in Council, there should be no sale of commissions. But instead of that, the clause now before the Committee proposed that the commissions of the officers of the Army might continue for years to be sold to Her Majesty's Government. The leading principle of the 2nd clause was, that one officer who had purchased ought not to be serving side by side with another who had not. How, then, could Her Majesty's Government ask the Committee to pass this clause, when they retained the 2nd? If the Government wished to push on the Bill they should have accepted the Amendment of the hon. and gallant Member for Norwich. From the division on that Amendment they must have seen that the Committee was against them, for Her Majesty's Government, though having a majority of 116 at their back, had defeated the hon. and gallant Baronet's proposal by a majority, not of 116, but of 16. Having served 15 years in the Army himself, and having three brothers, one in the cavalry, another in the artillery, and another in the infantry, he could not but take a warm interest in this matter. He had simply to say, in conclusion, that he could not approve the clause, which was framed, in his opinion, with anything but a sense of justice to the officers of the Army.

Major General Sir PERCY HERBERT said, that a question which had been put to the Government had been evaded at every step, and he would again press for an answer to it. It was, seeing that the officers of the Army had paid large sums of money to create half-pay and half-pensions, had the Government not profited by the money paid by these officers? The whole of the regulation money had been applied for the benefit of the Government, to the diminution of the military expenditure and of taxation; and the right hon. Gentleman the Secretary of State for War knew that the half-pay and retiring allowances of the Army were ridiculously small as compared with the half-pay and retiring allowances of the Navy, although the force of the Army was four or five times as great.

Sir HENRY STORKS replied that when the question had been put to him by the noble Lord the Member for Haddingtonshire (Lord Elcho), he had had no intention of evading it, and he thought he had given as plain and straightforward an answer as he could. If an officer was entitled to the whole of his purchase money the whole of the purchase money would be paid; but if he was not entitled to the whole of that sum, the officer got what he was entitled to, and the balance was paid into the Reserve Fund. His right hon. and gallant Friend called it a creation of half-pay. Now, his right hon. and gallant Friend had been appointed to the 82nd Regiment from half-pay. The officer whom he had succeeded, at the recommendation of Lord Clyde, had been permitted by the Secretary of State of the day (General Peel) to succeed to that half-pay. That officer had been brought on full-pay in 1859 for the purpose of selling his commission, and was replaced by an officer who had been 25 years in the service, and was entitled to go upon half-pay. Consequently that transaction was closed. In 1861, when he (Sir Percy Herbert) was appointed deputy quartermaster general at the Horse Guards, it was necessary for him to go upon half-pay. There was no half-pay available, and it was necessary to create half-pay to put him on half-pay, and a step was given as a purchase step in the regiment for the purpose of creating half-pay for the right hon. and gallant Member. With regard to the regimental agent, the regimental agent was a person in whose hands every officer lodged the purchase money, and that agent managed the pecuniary transaction between the officer going out and the purchaser.

Major General Sir PERCY HERBERT had not a word to say against the accuracy of the statement which had been made, but the question which he had put had not been answered. In the transaction to which allusion had just been made, there had been no favour or grace conferred upon him, and he believed his right hon. and gallant Friend did not mean to convey that there had been.

Viscount BURY said, he would, in order to avoid misconstruction, point out that the Amendment was merely to the effect that officers who had invested their money on the faith of the Government, and to a certain extent under their absolute direction, should receive the value of their commissions at once, instead of being kept for years out of principal and interest. He hoped the right hon. Gentleman the Secretary of State for War would not give the Committee the trouble of dividing upon an Amendment which merely asked him either to pay down the regular price, or to pay a fair rate of interest upon it; but that, on the contrary, he would, as he had promised early in the evening, accept it as a fair proposal, and one that the Government might with perfect consistency grant. He had never opposed this Bill on the narrow ground of the interests of the officers; he had proceeded on the far larger and more constitutional ground, that this Bill was in its entirety a waste of public money, that it destroyed an Army while doing nothing to replace it, and that it was destructive, not constructive, in its provisions. They had been told that they would get a worse Bill next year if this did not pass—["Hear, hear!"]—and the hon. Member for Brighton (Mr. White) cheered that sentiment. Did he think such a threat would weigh for one moment with the officers of the Army? Did he think they merely quarrelled about a mere question of money? The officers of the Army opposed this measure, not because their pockets would suffer, but because, in their opinion, the country would suffer. He did not believe the Bill represented the feelings or wishes of the country, nor did he believe that the House of Commons would see injustice done. Whether the Bill were delayed till next year, or till still later, the officers knew they might trust their interests in the hands of the House of Commons. They did not want to snatch from the good nature of the House anything to which they were not entitled. The hon. Baronet the Member for Dublin (Sir Dominic Corrigan) had used something like a threat. He said he saw a cloud no bigger than a man's hand, and he called for the withdrawal of the opposition, lest worse should befall them. He (Viscount Bury) also saw something in the distance. He saw arising among the people a clearer notion as to the real tendency of this Bill; and if he and others stood before their constituents, he believed they would be able to justify what was called their obstructive policy. They would say—"Here was a Bill introduced for the purpose of abolishing a system under which our Army had become renowned in all Europe for the discipline of its men and the gallant bearing of its officers, at the bidding of a Government which had evidently but little considered the question. There was no breath of such a proposal when the Prime Minister made speeches throughout Lancashire, or when the Secretary for War addressed the Druids at Oxford. The Government refused all explanation. They said to us—'Pass our Bill, and we will then tell you what our Army shall consist of.' We replied—'Tell us what our Army is to consist of, and then we will pass your Bill.' It was a Bill put before us without adequate information—a Bill which would cost an indefinite number of millions, and which had caused a sixpenny income tax, with little hope of its speedy remission; and, more than that, it was a Bill which did not in any way justify the anticipations which were formed previous to its introduction; for instead of removing the sense of insecurity to which the country had been aroused by the Continental War, by really effecting the re-organization of our Army, it did nothing of the kind, but on the contrary cut down recruiting, cut down the system of appointing officers, cut down everything upon which the Army had hitherto been based, and restored nothing." This is what they would be able to tell the country, and he appealed to the right hon. Gentleman not to refuse this small modicum of justice to the officers of the British Army, to which in his (Viscount Bury's) opinion they were so justly entitled.

MR. CANDLISH said, the noble Lord the Member for Berwick appeared to have been rehearsing his next hustings speech, and it was to be regretted that he had not performed it in "another place." For his part, he also was ready to go before his constituents, and justify his vote against an Amendment in favour of taking £200,000 a-year out of the pockets of the ratepayers and making it an absolute gift to the officers of the Army. The noble Lord had not shown that the position of the officers would be improved in any way by the change; and, if they did not like the different circumstances, there was in the Bill a provision under which they could receive their invested capital and relieve the country of their services.

MR. GREENE said, he must maintain that this question was one of common honesty between the Committee and the Army, and he would ask whether it could make any difference whether the country repaid to the officers their capital or allowed them interest upon it. He had had some opportunity of ascertaining the opinion of the Army on this matter, and he submitted that it would only be honest to pay down at once the value of the commissions, so that the old purchase officers and the new non-purchase ones might start fairly together. He expected that on their return after the Whitsuntide holidays, hon. Members would have been told by the Prime Minister that he was satisfied as to the opinion of the country being decidedly against his measure. The right hon. Gentleman professed to be governed by the public voice; but the opinion of the country had never been taken on this subject, and he, therefore, would do all he could to prevent the Bill passing into law before there had been time for its consideration. Possibly, some hon. Members might think it doubtful whether they would return to this House in another Parliament; but he had always so much pleasure in meeting his constituents that he should like another contested election. He might say commonplace things; but the electors of this country were commonplace people, and they desired to know why Parliament wasted its time about the re-organization of the Army. The officers might not be perfection, but was anything perfect? Was this House perfect? Many hon. Members must know themselves to be so imperfect that they would never be returned again. His constituents asked who it was that introduced the Bill. He (Mr. Greene) told them it was not the right hon. Gentleman at the head of the Government, for he did not trouble himself much about war. He was a man of peace. The Secretary of State for War was the man. Now, he had a high personal regard for the right hon. Gentleman, and he was sorry he had lent himself to the ideas of young philosophic aspirants to political honours like the hon. Member for the Border Burghs (Mr. Trevelyan). The Committee was wasting time about the Army and neglecting the Navy, to which they ought rather to look. [" Question!"] The question before the Committee related to the defence of the country, and it was important to those who had anything to lose to know that they would have both an Army and a Navy to protect our shores. If the Government desired to abolish purchase, they ought to pay like honest men, and hon. Members ought not to be afraid to tell their constituents they had been taxed with that object, for the country would not mind the money if it was well spent.

Colonel STUART KNOX said, he must regard the speech of the noble Lord the Member for Berwick as a straightforward one; and, although it might be thought a hustings address, he trusted that at the next election many more such speeches would be heard from hon. Members who sat on the Government side of the House. The hon. Baronet the Member for the City of Dublin had told the Committee that as a cabin boy he had looked down from the mast, yet he had no sooner said so than he came down the mast and ran away without giving anyone the opportunity to answer him. The Secretary of State for War, in bringing forward this Bill, said his object was to combine in one harmonious whole all the branches of our military forces. Would he tell the Committee how this Bill proposed to effect that object? If the right hon. Gentleman would do so, he would assist the Government to carry their Bill.

Sir GEORGE JENKINSON said, he wished to refer to a remark make by the hon. Baronet the Member for the City of Dublin, which he could not allow to pass unnoticed. The hon. Baronet had observed that servants must be content to get what they could get.

Sir DOMINIC CORRIGAN: What I said was, that civil servants would have to be content with what they were allowed by law.

Sir GEORGE JENKINSON said, the hon. Baronet had used those words, but he went on further to say that servants must be content to take what they could get. [" No, no!"] However, if the hon. Baronet's own version were accepted, they were not treating with civil servants, but considering the interests of military officers whose money had been taken under certain conditions. Instead of giving them promotion by seniority upon purchase, they were now to be promoted by selection. That was a distinct breach of contract, and therefore the State ought either to return their money or pay them interest upon it. In " another place," a noble Lord who had been sent there to bless the Bill had to-night done the other thing, and such opinions deserved consideration. His Amendment was a reasonable one, but he was quite content with the discussion which had been raised, and would not ask the House to divide. [" Oh, oh!" *and laughter.*] It was all very well for the Prime Minister to laugh at the course taken by an independent Member.

Mr. GLADSTONE: I did not laugh at the hon. Gentleman.

Sir GEORGE JENKINSON: Then at whom did you laugh, Sir?

Mr. GLADSTONE: I cheered the words of the hon. Gentleman, but I did not laugh.

Sir GEORGE JENKINSON was much obliged for the cheer; the cheers of the Prime Minister were always gracious. He repeated that he was satisfied with the discussion, and with the opinions the country was likely to form upon it, and therefore would not press his Amendment to a division.

Amendment *negatived.*

Sir WILLIAM RUSSELL proposed, in page 2, line 20, after the word " commission," to insert the words " or where such officer shall be invalided, or shall die while serving." He thought it was reasonable that officers who were worn out in the service should receive the value of their commissions, and that the relations of those who died on service should also be placed on the same footing. He therefore moved the insertion in the clause of words giving this privilege in the case of officers invalided or dying on service.

Amendment proposed, in page 2, line 20, after the word "commission," to insert the words "or where such officer shall be invalided or shall die while serving."—(*Sir William Russell.*)

MR. CARDWELL said, he was sorry he could not accede to the proposal. As he had frequently said, the object of the Bill was not to confer new privileges; it was merely to indemnify those who would otherwise be prejudiced by the Bill. Under the Royal Warrant officers invalided, or the relations of those dying, did not receive the value of their commissions, and it would therefore be entirely foreign to the principles and objects of the Bill to agree to the Amendment.

LORD GARLIES said, it did not seem to matter what the proposal was, or by whom it was made; the only answer given by the Secretary for War was that he could not accede to it.

LORD EUSTACE CECIL said, that poor officers who were worn out in the service suffered a great hardship in not being allowed to sell out, and this question and the case of officers dying in the service, ought to be considered by the Government.

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 191; Noes 259: Majority 68.

COLONEL ANSON said, that as the next Amendment on the Paper—that of the hon. Member for Warrington (Mr. Rylands)—was of great importance and likely to lead to a protracted discussion, he would move that the Chairman do now report Progress.

MR. CARDWELL said, he hoped the Motion would not be agreed to, as it was only 20 minutes past 11 o'clock. In the discussion, which had lasted all the evening, many arguments had been adduced which, in his opinion, were not entirely relevant to the point at issue.

COLONEL C. H. LINDSAY said, he would point out that on the last occasion when the Bill was under consideration in Committee, the Prime Minister himself moved to report Progress at 20 minutes past 11, alleging that the Amendment of the hon. Member for Warrington was too important to be discussed at so late an hour. Surely that rule ought to apply to the present case.

MR. GLADSTONE said, he must admit that he had moved to report Progress on the occasion referred to; but not, however, at precisely the same hour. ["Yes, yes!"] It was past the half-hour. If the hon. Member for Warrington wished to proceed with his Amendment at once, he thought it would be right and conformable to the rule that the Committee should go on.

MR. RYLANDS said, he was prepared to go on with his Amendment, if his hon. and gallant Friend the Member for Bewdley would withdraw his Motion for reporting Progress. He should not like the effect of the discussion on his Amendment to be rendered nugatory because of a conflict on a Motion for reporting Progress.

MR. HUNT said, he thought it was understood the other day that the second Order, relating to Blackwater Bridge, was to come on at a reasonable hour.

MR. GLADSTONE said, it would be taken at a reasonable hour, if it were taken at all. He was unable, however, to accede to the Motion that Progress be reported at 20 minutes past 11, especially after considering the manner in which this evening had been spent.

SIR JAMES ELPHINSTONE said, he must remark that there were upon the Paper 37 Notices, many of them being of the most important character, and he could not conceive why the Business of the House was to be brought to a standstill, because the right hon. Gentleman at the head of the Government endeavoured to drive three omnibuses at a time through Temple Bar. The right hon. Gentleman had undertaken an amount of legislation which it was perfectly impossible to get through during the limited period in which the House sat. Members had already been defrauded of part of their Easter holidays. The Whitsuntide holidays had been curtailed, and now they were called upon to work double time for the remainder of the Session, for the purpose of carrying out legislation which many hon. Gentlemen on that (the Opposition) side of the House, and, he believed, more hon. Gentlemen on the other side, deemed not only wholly unnecessary, but most disadvantageous to the country. He should certainly support his hon. and gallant Friend's Motion.

Colonel ANSON said, he would withdraw his Motion on condition that there should be no Morning Sitting to-morrow.

Colonel JERVIS said, the Prime Minister had been good enough to complain that the Committee had expended some hours in a rather fruitless discussion. It is true they had been discussing a question upon which they divided, but he could not believe that hon. Members who supported the Government knew what they had been voting about. In point of fact, they divided on one of the chief points of the clause now under consideration.

The CHAIRMAN remarked that if the hon. and gallant Member was about to discuss the question just decided by the Committee, he was out of Order.

Colonel JERVIS said, he was not going to discuss the question. He merely pointed out that the Committee had divided on a question which was one of the most important points of this clause. One of the main objections to it was that the Government were trying to make capital out of the deaths of the purchase officers. The Prime Minister now proposed that the Committee should proceed to discuss an Amendment which, as he himself said the other night, was unfit to be discussed at half-past 11. Was it fair to proceed with a Bill of this importance on a day when three-fourths of the Members would be absent? Hon. Members must know what had been the practice for the last century and a-half on the Tuesday in Ascot week.

Mr. RYLANDS said, he was quite willing to accede to the Motion, on the understanding that the Committee would resume the consideration of this Bill at a Morning Sitting to-morrow.

Mr. GLADSTONE said, that for the sake of half-an-hour's discussion to-night, the hon. and gallant Member for Bewdley asked him to alter the policy which the Government announced before Whitsuntide. He had heard of an exchange of golden arms for copper ones, which might be familiar to the hon. and gallant Gentleman, but he never heard of terms so unequal as those which were offered in this bargain. He would accede to the Motion for reporting Progress, as the question whether the House should meet at 2 o'clock would arise immediately, and upon that the Government would take the opinion of the House. He thought it necessary to have a Morning Sitting for reasons he had already stated.

Lord JOHN MANNERS said, he was not aware that the Government had announced their intention of proceeding with this Bill at the Morning Sittings after Whitsuntide. He thought that at such Sittings the Westmeath Bill was to be taken on account of its urgency.

Sir GEORGE GREY rose to Order, and asked whether it was competent for the Committee to discuss what should take place on the following day.

The CHAIRMAN said, it was not in the power of the Committee to decide at what hour the House should meet. On that a decision must be taken when the Speaker was in the Chair.

Lord JOHN MANNERS said, he had only intended to continue the debate on the Motion for reporting Progress. He was under the impression that the Morning Sittings were to be devoted to a question of urgency. To the two proposals already made he would add a third. He could not deny that at this period of the year, and especially with Public Business in such a state, it was not unreasonable to have Morning Sittings on Tuesdays and Fridays, but he suggested that the Government should take the Evening Sittings, and give the Morning ones to those private Members who had Motions, some of whom had been put in a ridiculous position already this Session. In that way an amicable compromise might be effected.

Committee report Progress.

Mr. CARDWELL then moved that the Committee should be resumed at a Morning Sitting on Tuesday.

Motion made, and Question proposed, "That this House will To-morrow, at Two of the clock, again resolve itself into the said Committee."

Mr. G. BENTINCK said, the question now before the House was, "That this House will To-morrow, at Two of the Clock, again resolve itself into the said Committee." Now, he objected to that course of proceeding, and in doing so, he might probably be told that he was trying to obstruct the course of

Public Business. He begged to say that he had no such object in view—that he had taken no obstructive part and had not troubled the House on more than one or two occasions. Then, it might be said that he was actuated by a party motive; but he hoped he had said enough to relieve himself from any such imputation; and, moreover, ever since he had had the honour of a seat in that House he had always taken a very lively interest in this question, and had frequently raised objections to such propositions as that now before the House. It appeared to him that above all things hon. Members were bound to maintain the rights and privileges of private Members. He thought that this proposal of the Government was a direct infringement of those rights and privileges. It was the fault of the Government only that the Public Business of the House was now so encumbered. It was the business of the Government to determine at the commencement of the Session what those measures should be which the limits of the Session would admit of, and to estimate the amount of discussion to which they were likely to give rise. Yet, on last Friday, when there were many important measures upon the Paper, the Government allowed the House to be counted out at about 10 o'clock. The compromise suggested by the noble Lord the Member for Leicestershire, would, he thought, be making bad worse. If the Government were permitted to take the course they now proposed, the private Members might as well retire altogether, for the House of Commons as a House of debate would no longer exist. The right hon. Gentleman at the head of the Government was offering what he called "a bargain," by which all the gain would be on the side of the Government and all the loss on the side of the private Members. It would appear from the answer given by that right hon. Gentleman to a Question put to him in the early part of the evening that they—the Government—did not claim the right of initiating Bills in that House, but left that initiation, as it were, in the hands of the public; for, he said, in respect to the Scotch Education Bill, that the Government would proceed with it, provided the same feeling existed amongst the people of Scotland in respect to it as had been before expressed. Was that, he asked, the way the Government was to go on with the business of that House? If private Members were to sacrifice their rights and privileges, it should at all events be for the sake of facilitating the progress of measures initiated by the Government. ["Divide, divide!"] It was his intention to take the sense of the House upon this question, and on the result would, in his opinion, depend the character of that House in the eyes of the people. He would therefore move that the House at its rising do adjourn until a quarter before 4 o'clock to-morrow.

MR. CONOLLY said, he wished to know what course the Government intended to pursue with regard to the Westmeath Bill. Hon. Members had been brought down on three different occasions in consequence of the declared urgency of that measure, which was to deprive a large section of the people of Ireland of their liberties; but there appeared, after all, so little urgency in the matter that he begged distinctly to ask the right hon. Gentleman at the head of the Government what they meant to do with that Bill.

MR. SPEAKER: The question before the House is, that the Committee do sit again To-morrow at 2 o'clock, and the hon. Member's Amendment is that the House do adjourn till a quarter to 4 to-morrow. That is not a suitable Amendment. The Amendment must be relevant to the Question when the Committee should again sit.

MR. J. LOWTHER said, he would raise the question by moving that the Committee should sit again on Thursday next.

MR. SPEAKER: The Amendment by the hon. Member for West Norfolk is the one before the House, but as I have observed, it is not suitable to the occasion. The Amendment must refer to the time paid for the sitting of the Committee.

MR. G. BENTINCK said, he would beg leave to apologize. By a slip of the tongue he had moved "that the House do meet;" but he meant to move that the Committee do sit again at a quarter to 4 to-morrow.

MR. SPEAKER: The hon. Member has been advocating the rights of private Members, but his Amendment would obviously defeat his own object.

MR. G. BENTINCK said, he meant a quarter to 4 o'clock on Thursday.

Amendment proposed, to leave out the words "To-morrow, at Two of the clock," in order to insert the words "upon Thursday,"—(*Mr. Bentinck,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GLADSTONE said, he must repeat, with regard to the Westmeath Bill, what he had before stated, that it had been postponed for two or three days in order to enable some hon. Members to prepare a clause which they desired to insert in it. As to the Scotch Education Bill, he was surprised at the ingenuity of the hon. Gentleman the Member for West Norfolk (Mr. G. Bentinck) who had contrived to misunderstand what had been stated at an early period of the evening, and had impeached the conduct of the Government on two grounds difficult to reconcile—namely, that they sought to destroy the rights of private Members, desiring to make them mere registrars of the decisions of the Government; and, also, that they abandoned all initiative, so that they were hardly worthy to bear the name of a Government. The Government were prepared with their measures at the commencement of this Session in as great a degree as any Government in the present day, and he did not think a single evening had been lost on account of Government not being prepared to bring forward their measures. But hon. Members were aware that one important measure now under discussion—the Army Regulation Bill—had been met with a description of opposition most unusual. For several nights in Committee one Amendment after another had been made the means of reviving the discussion on the general principles of the Bill. No doubt hon. Gentleman thought they were justified in taking that course; but, such being the case, it was rather cool for hon. Members to assume that everything connected with the difficulty of carrying on Public Business was to be set down to the fault of the Government. If it were the fault of the Government, there was a mode of dealing with the matter, but that mode, he must do the hon. Gentleman the Member for West Norfolk the justice to say, it was not proposed to adopt. As to the Government, the Crown had committed to it by the practice of the Constitution and by the will of the House of Commons a leading share in the initiative of legislation, and the Crown, at the commencement of the Session, made an announcement of those measures which it was thought material for the public interests to introduce and carry into law. But there had been years when the Government felt it their duty to grapple with great measures of an organic character connected with a sister kingdom, and they had been years of extraordinary difficulty with respect to the regular course of legislation. Under these circumstances, the Government find that the 6th of June was beginning to be a period of the year when it was usual to resort to Morning Sittings, not for the purpose, as the noble Lord the Member for North Leicestershire (Lord John Manners) suggested, to give those Morning Sittings to private Members, but for the purpose of expediting the Public Business; and he must say, when he was told that the rights of private Members were to be sacrificed, that never had the rights of private Members been more fully enjoyed than during the present Session. ["Oh, oh!"] It was idle to meet the assertion with exclamations, which meant nothing, because it was capable of being brought to a question of fact; and it was no unprecedented or unreasonable course to resort to Morning Sittings about the 6th of June. The House resorted to Morning Sittings in 1867 on the 28th of May; in 1868, on the 16th of June; in 1869, on the 8th of June; and in 1870, Morning Sittings were adopted in April, abandoned in May, and resumed again early in June. Having business of no small importance to dispose of, it would be most discreditable to the House to allow measures of great moment—such as the Army Bill and the Secret Voting Bill—to lapse through failing to resort to those obvious and usual means for economizing time which have been adopted of late years. With respect to the rights of private Members, he must say those rights were respected by avoiding an undue prolongation of the Session, for at times the House had sat to September, and he asked whether that was now desired by hon. Members. There was the Army Bill on hand, and the House knew how much progress had been made with that measure in Committee. The Government intended to follow up that Bill with the Secret Voting Bill; and so long as they were supported by the House they were resolved whatever the time consumed or the discomfort experienced, to obtain the judgment of the House on both those measures. They asked the House to adopt no extraordinary course, but only the ordinary and usual course, which had been followed of late years, in order to enable them to go on with their measures; and whatever might be the profuse and unbounded eloquence discharged on the clauses, on the words, and almost on the letters of the Army Bill, yet if the rational course they proposed were adopted, they should be able, within a Session of reasonable length, to obtain the judgment of the House on that Bill and the other important Bill which was to follow, and to discharge the rest of the business of the Session in a manner which would not be displeasing to the House.

MR. NEWDEGATE said, he must characterize the initiation of the present system of Morning Sittings in 1867 as an evil precedent. It had led to a state of the utmost confusion in the conduct of business from which that House had never recovered. He admitted, however, that there was another element in the case. It was true that hon. Members on the Opposition side of the House did not wish to displace the Government, and that was an anomalous position; but, at the same time, if the Government chose to take advantage of their good wishes, and announced that every measure proclaimed at the beginning of the Session was to be forced through the House by the dead weight of an unreasonable majority, they placed independent Members in the position of having no alternative but that of obstruction. By the course which he pursued, setting down the Westmeath Bill for to-morrow, and then, in deference to a suggestion from the hon. Member for Galway (Mr. W. H. Gregory), postponing it, and fixing another Bill for the Morning Sitting, the Prime Minister was treating the House more like a great school than anything else, and if an appeal were made to the country it would, in no small degree, be based upon the embarrassment which the course adopted by the right hon. Gentleman had produced in the transaction of Public Business. If the right hon. Gentleman wished the House to proceed in a business-like manner, let him invite attention to the recommendations of the Committee which sat on the subject, and provide that Notice should be given to Members on one day of the business which they would be called upon to take into consideration the day after. The confusion which now existed was caused by the fact that the proceedings of the House were conducted on no fixed or settled rules.

LORD JOHN MANNERS said, he regretted to have heard the right hon. Gentleman the Prime Minister allude to the probability of the House being obliged to sit until September, because an allusion of that kind was likely to be regarded somewhat in the light of a threat. He doubted, too, whether such remarks were likely to facilitate the progress of Public Business. As Morning Sittings were now carried on at the instance of the Government, there could, in his opinion, be no doubt that private Members were put to great inconvenience. The right hon. Gentleman, it was true, took credit to himself and the Government for having paid great attention to the preparation of the measures which they had introduced to the notice of Parliament; but the great cause of complaint against them was, that they brought forward too many measures to entertain any reasonable hope that they could be carried. The House was occupied night after night with Bills which had to be withdrawn, and the result was a great block to business. It was a case of *delirant reges, plectuntur Achivi*, and if the Government had only properly managed the business, the House might very fairly hope to rise at the usual time. As to the opposition to the Army Regulation Bill being unusual, he would reply to the imputation by asking the simple question, whether many of those hon. Members who ordinarily supported the Government were in favour of it, and whether objections to it were not justified by the complete silence which had been observed with respect to the total cost of the scheme, and the mode in which under its operation retirement was to be carried into effect?

SIR HENRY SELWIN-IBBETSON, while denying that he was one of those eloquent Members alluded to by the Prime Minister who sought to waste the time of the House in discussion, expressed himself as being extremely anxious to support the rights of private Members, which were being invaded by the system of Morning Sittings to which the Government were having recourse. As to the opposition to the Army Bill being unusual, he should like to know whether it was not more unusual that the House should be asked to pass a measure with the details of which they were unacquainted. The example of the Westmeath Bill showed how very useless those Morning Sittings were apt to be; and he thought it would be better for the Government to proceed with the Army Bill in the evenings, without trenching on the rights of independent Members.

Mr. COLLINS said, he thought a great deal of valuable time would have been saved if the Government had brought in their Westmeath Bill without previously proposing a Committee. He begged to move that the debate be now adjourned.

Sir JAMES ELPHINSTONE, in seconding the Motion, stated that he was engaged in the Select Committee on Indian Finance to-morrow, and his constituents strongly pressed him, at the same time, to be present at the discussions on the Army Bill. How was he to act under those circumstances?

Mr. GLADSTONE said, he could not think that the hon. and learned Gentleman the Member for Boston was serious in his Motion. The only legitimate reasons for adjourning a debate were two: either that the considerations to be taken into view were so extensive that they could not be handled at the time, or that the materials requiring to be discussed were not sufficiently prepared. Neither of these reasons applied to the occasion before them. It would be mere mockery were he to address to the hon. Member any arguments for or against his Motion. The only construction that he could put upon it was, that the hon. and learned Gentleman was determined to intercept the expression of the views of the majority of the House.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Collins.*)

Mr. DISRAELI: Business is in an unusual and unsatisfactory condition, which I am sorry to perceive has been for some time arising. I have always felt it my duty to support the Government in any reasonable proposition for the prosecution of the Public Business. However unskilful may have been its management, that is no answer to the present proposal, the object of which is really to conduct Public Business with more efficiency. The claim that the right hon. Gentleman now makes is the use of Tuesday and Friday mornings. Now, no one denies that to yield up Tuesday and Friday mornings is a great sacrifice of the rights and privileges of independent Members; but I am not at all prepared to say that, under proper circumstances, they ought not to be ready to make a sacrifice of that kind; and I have no doubt that, if circumstances demanded it, there would be little hesitation. A Morning Sitting, however, under all circumstances, is an unsatisfactory meeting of the House. Ministers themselves are not very able to be here; many of the best Members of the House are in attendance on Committees; and all our commercial and professional Brethren are absent; therefore, a Morning Sitting is, under any circumstances, unsatisfactory, and it is the last resource of a Minister. My opinion is, that to ask the House to consent to Morning Sittings on Tuesdays and Fridays is a course that ought not to be taken unless there is a very general concurrence in it. I do not shrink from the responsibility of having myself first proposed the alteration in the mode of Morning Sittings, although it brought down on my head the denunciation of the Member for North Warwickshire (Mr. Newdegate); and I think that, on the whole, it is an alteration that has facilitated the progress of Public Business, and rendered Morning Sittings more satisfactory than they used to be. I do not think that the right hon. Gentleman ought to call upon the House to divide upon this subject, or to attempt to carry his wishes in this respect by majorities. He will find, on the whole, that in the conduct of Public Business he must greatly depend upon the good sense and good temper of the House, and if, by force, he should attempt to carry into effect such an arrangement as would not be palatable, somehow or other Public Business, though you might meet in the morning, would not proceed. Unless the House is in a good temper, we gain nothing by these artificial arrangements. What can justify a Minister in asking for a concession of this kind? It is that he has on his hands matters of great exigency and emergency. Under such circumstances, would he appeal to the House in vain? I think everyone would agree that he would not. If, for example, the right hon. Gentleman had asked the House to grant him Morning Sittings to carry the Westmeath Bill, there would no doubt have been not only a general, but an unanimous acquiescence in that arrangement, although independent Members might have said it was very hard upon them to be deprived—as they practically would thus have been—of the opportunity of discussing the questions they wished to bring forward, because if the Government had acted as they ought to have done, and had early in the Session brought in their Westmeath Bill without hesitation, it would have been passed and forgotten, and they need not now have made that appeal to the House. But it is not for such purposes as these that the right hon. Gentleman is asking the House to hold a Morning Sitting to-morrow. It was not until hon. Members had come down to the House this day that they were let into the secret that the Westmeath Bill was not to be taken to-morrow.

Mr. GLADSTONE: Not a word was said about it.

Mr. DISRAELI: With respect to the Westmeath Bill?

Mr. GLADSTONE: Not a word.

Mr. DISRAELI: I can answer for those who sit near me, that there was a general impression that the Westmeath Bill would be proceeded with to-morrow, and I am astonished to hear from the right hon. Gentleman such is not the case. But if that had been the case, I cannot doubt for a moment that the House would have consented to it. But is this a measure of emergency—a measure of that exigency which justifies such an agreement of the House? The right hon. Gentleman has referred to the Morning Sittings which I asked the House to consent to in May, 1867. I may again observe that then I appealed to the House to support me—I did not attempt to force the decision of the House on the subject. The House by a general consent agreed to those Morning Sittings, and I required them in favour of a measure respecting the details of which there was no doubt considerable division of opinion, but respecting the desirability of the carrying of which there was a general concurrence in the House. There was a general desire both in the House and out of it that the Reform question should be brought to a settlement. But is that the characteristic of this particular measure, which the right hon. Gentleman has brought forward respecting the Army? It has been discussed a great deal in this House, and the opinion of the House upon important portions of it has frequently been taken, and a very balanced state of opinion has been shown. It is a measure which has received some of the strongest opposition from the right hon. Gentleman's own supporters—hon. Gentlemen who sit behind him, many of whom are looked upon as among the pillars of his party. The opposition has by no means been the opposition of this side of the House; but it has been general, and I believe the greatest number of Motions in opposition to the Bill have been brought by hon. Gentlemen on the Ministerial side. Therefore, I cannot think that this is a measure which has the character of emergency; and I do not think that the right hon. Gentleman has been prudent in trying to commence these Morning Sittings—which, under certain legitimate circumstances and conditions, the House contemplated that in the course of the Session he would have recourse to—by asking the House to sacrifice its privileges, in order that he should advance a measure which is opposed, and so strongly opposed, by a considerable portion of his own Friends. It appears to me to be not a measure which commands the general concurrence of opinion of the House, so as to justify such a course. Although the business of the House is certainly in sad arrear, and although we have done very little this Session, still, practically speaking, this is now the only measure before us, with the exception of the Scotch Education Bill. It appears to me, therefore, to be the feeblest part of the appeal of the right hon. Gentleman, for this great sacrifice to be made by the independent Members, that he wishes, I may say, to introduce a Ballot Bill, for we have had no discussion about the Ballot Bill, and no one can pretend that the Ballot Bill is a measure of emergency. Why, it was only last year that the right hon. Gentleman became a convert to its principle; and even the plan which has been introduced to us is not the plan which we were told last year would probably, in consequence of the recommendations of the Committee, be adopted. And, further, I believe that the right hon. Gentleman who introduced the Bill at the beginning of the year, was not a Cabinet Minister at the time. He may have been, but I doubt it. But really, when the right hon. Gentleman adopts the highly serious vein, respecting his determination to keep us here until September, or even later, in order that we shall pass this Ballot Bill, there seems to me to be something approaching the comic in his conduct. It is my wish to assist the Government in conducting the necessary business of the House, and I should be very glad, with regard to the Army Bill, to come to some rational and reasonable understanding, upon which we might carry this year a Bill which would improve the military defences of the country, without involving us in this fanciful expenditure for what appears to be considered the somewhat eccentric and not very popular proposition respecting the abolition of purchase. If the right hon. Gentleman in due time felt it necessary to have Morning Sittings to vote the Estimates, I am sure the House would assent to any well-digested proposition. But the House wants to be satisfied that if this sacrifice is made, it should be for some effective purpose. They are not prepared to make it for this somewhat eccentric Bill, which I hoped originally would have much improved the military defences of the country; but it has taken another character, and it certainly is not popular in the country, as the Petitions presented to day show. The request that we should give up the opportunity of performing the duties which our constituents are pressing upon us to fulfil, in order that at some future period—this being the 6th of June—the right hon. Gentleman may proceed with a Bill to establish secret voting—and not merely Parliamentary secret voting—offers such a shadowy inducement to make a substantial sacrifice, that the right hon. Gentleman cannot be surprised at the difficulties he encounters. I should be glad to see them disappear, and to find the right hon. Gentleman could make some arrangement by which he will proceed with the Westmeath Bill. Nothing could be more unsatisfactory than the conversation which took place upon that Bill to-day. There is not the slightest reason why hon. Gentlemen interested in it should not have drawn their clauses on Friday last; and, having drawn them, it would have been the duty of the Government to see that the Bill was proceeded with; and the House would then have agreed to a Morning Sitting to-morrow. But I really hope that the right hon. Gentleman will not press it at the present moment. It has come upon the House in a most unexpected manner, for they naturally thought, when the right hon. Gentleman intimated his intention of asking for this concession, that he intended to use it for a wise and salutary purpose, and not for such a doubtful matter as this Army Bill. I trust, therefore, that the right hon. Gentleman will re-consider his decision, and will to-morrow proceed with the Westmeath Bill, which the country wishes us to pass.

Mr. CARDWELL said, he must deny that the House could have been taken by surprise in this matter, inasmuch as due notice had been given by the right hon. Gentleman the Prime Minister of the intention of the Government to proceed with the Army Regulation Bill at Morning Sittings before Whitsuntide. The practice of holding Morning Sittings, which had been inaugurated by the right hon. Gentleman the Member for Buckinghamshire, had, he was bound to admit, greatly expedited Public Business. The right hon. Gentleman had remarked that at these Morning Sittings only such measures had been taken as had received the approval of the House, and it was impossible to say, after the repeated divisions of the House in its favour, that the Army Regulation Bill had not received that approval.

Mr. DISRAELI explained that what he said was that Morning Sittings should only be held with the general concurrence of the House.

Mr. CARDWELL said, he thought that the Bill in question had received the general approval of the House, and that therefore it came within the terms used by the right hon. Gentleman. He wished also to point out that this system of conducting business was first introduced by the right hon. Gentleman in 1867, for the purpose of going on with a measure which had by no means received the universal concurrence of the House. The right hon. Gentleman said that a great part of the opposition to the Army Bill proceeded from Gentlemen sitting on the Ministerial side of the House. He must remind him that a very considerable part of the opposition to the measure of 1867 proceeded from Gentlemen sitting on the Ministerial side of the House. He hoped that he had sufficiently distinguished the precedents of the right hon. Gentleman, and he trusted that, as he was always anxious to promote the course of Public Business, he would consent to the Army Bill being proceeded with at a Morning Sitting to-morrow.

SIR RAINALD KNIGHTLEY said, that Government were apparently determined to make use of the very narrow and decreasing majority—[*laughter*]—yes, the very narrow and decreasing majority—to force a crude and ill-considered scheme through the House. The question resolved itself into this—if they were to come to a matter of physical endurance, and to go on dividing on adjournments and the Reporting of Progress, of course it was quite clear in the long run the Government would have to give way. He hoped the right hon. Gentleman, however, would take care of his health, so that he might not be compelled to leave the conduct of Public Business in the hands of one or two of his Colleagues, considering the very limited amount of success which had attended some of their efforts.

LORD ELCHO said, there were two points involved in the question of Morning Sittings—one affecting the interests of private Members, and the other affecting the nature of the Public Business. The right hon. Gentleman at the head of Her Majesty's Government had stated that Morning Sittings generally commenced in the first week of June, but he should not forget that there had been Morning Sittings for the last three weeks already. If the Government found it necessary to have recourse to Morning Sittings, it ought to take them on their own days, and not on the days set aside for private Members. If there was any grave urgency he would not object, and that brought him to what the question they were required to have a Morning Sitting to-morrow upon was. He was not going into this measure; but it was a measure which ought to be discussed when there was a full attendance of the Members of the House, and not on a day when Government could command a majority of this House. ["Oh, oh!"] It was only put for that day and hour because Government had found it had raised such hostility, not only on the Opposition side, but on their own side of the House, that they did not believe they could carry it by fair discussion. ["Oh, oh!"] It was perfectly manifest. ["Oh, oh!"] It was as manifest as anything could well be, that that was the object and intention of the Government. ["Oh, oh!"] If it was not so, why did they not put it down for Thursday? He did not know how many Orders of the Day there might be. [An hon. MEMBER: Thirty-eight.] Why, then, did they not come forward with some of these measures? Among these 38 Notices were there none which interested the working man? Why there was a Bill which had been three Sessions before Parliament. [A VOICE: The Ballot.] Not the Ballot; but a measure which was not for the payment. ["Question!"] He thought he was speaking perhaps too much to the Question. ["Question!"] At any rate, he would not be deterred by cries of "Question" from saying what he had to say. ["Oh!"] The Government professed to be a Government which looked after the interests of working men. Why, then, did not they propose to proceed with a measure which had been brought in by the Government, on the Reports of Committees and Commissions, for the protection of life among one of the most industrious classes of people in this country? For three Sessions hon. Members had been endeavouring to induce the Government to proceed with that measure. The right hon. Gentleman the Home Secretary almost gave a pledge to those interested in that measure—the miners—that it should be pressed through Committee before Easter. For that measure the Government would not give a Morning Sitting. [*Cries of* "Whose fault?"] Were not the miners honest, industrious men? [*Renewed cries of* "Whose fault?"] The groans when he said that came from the Liberal Gentlemen opposite. But now it was proposed to have a Morning Sitting for the Army Regulation Bill, which was becoming more and more unpopular, not only in the House but the country, as was testified by the Petitions that had been presented against it.

Question put.

The House *divided*:—Ayes 174; Noes 245: Majority 71.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Mr. KNIGHT said, he must express a hope that the Government would extend that courtesy which was usually shown to so large a minority under the circumstances, and would not press the whole Radical force on the other side against them. He begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Knight.*)

Question put.

The House *divided*:—Ayes 154; Noes 225: Majority 71.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Lord GEORGE HAMILTON said, that if the Westmeath Bill had been set down for the Morning Sittings, there would be no objection to such a course. But there was an election about to be held in that county, and the Government were no doubt anxious to render themselves as little unpopular in that quarter as possible. He should move the adadjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Lord George Hamilton.*)

Mr. CANDLISH said, he would suggest that the Prime Minister, who had been recently indisposed, and on whose illness hon. Gentlemen opposite seemed to calculate for the success of their tactics, should retire to rest, and leave his supporters on the Ministerial benches to fight the matter out with hon. Gentlemen opposite, who were bent on taking a factious course.

Mr. R. N. FOWLER said, that if the conduct of the Opposition was factious, they had ample precedent for it in the line of conduct which had on former occasions been adopted by Members of the present Cabinet, especially by the right hon. Gentleman the President of the Poor Law Board.

Mr. GLADSTONE said, it was with extreme pain he viewed the present state of things. He had formed a strong opinion that upon the issue of this contention depended the legislation of the year and the credit of Parliament. The Bill had been met in a manner which had been mildly described as "unusual;" and he did not hesitate to say that in the course of his 39 years' experience nothing of the kind had happened before. On former occasions what had been termed factious opposition had consisted of minute scrutiny of the details of a Bill in Committee; but on this occasion it consisted of speeches on the principle of the Bill made at every step in Committee. So far as his knowledge went this was an absolute novelty; and now, when it was asked that Morning Sittings might be resorted to, the Government were met by an opposition which threatened to detain the Speaker in the Chair for the purpose of deliberately preventing the consideration by the House of a measure recommended by the Crown in the Speech from the Throne. ["Oh, oh!"] These were not laughing matters, but matters of extreme gravity; both political parties were upon their trial before the country. His own personal convenience was as mere dust in the balance, and nothing would induce him to leave the House without a firm conviction that the majority intended to vindicate its rights. A few more rounds of the hands of the clock might perhaps bring hon. Members to a more complete self-knowledge than they possessed.

Viscount BURY said, he must repudiate the insinuation of the hon. Member for Sunderland (Mr. Candlish) that it was the aim of the Opposition to the Bill to take advantage of the indisposition of the Prime Minister.

Sir LAWRENCE PALK said, he would suggest as a compromise that the Government should postpone the further consideration of the Army Bill to a Morning Sitting on Friday.

Mr. LOCKE said, he recollected that on a former occasion 13 divisions had been taken, each following the other with the utmost rapidity, and in the result the minority had to give way about half-past 5 in the morning. It was now a quarter-past 2 o'clock, and he saw no reason why they should go on debating the matter any further. He should rather suggest that hon. Members should walk in and out through the division lobbies until they were tired. Then it would be seen which side possessed the greatest physical endurance.

MR. NEWDEGATE said, the right hon. Gentleman the Prime Minister had said the Bill had been introduced at the instance of the Crown, and therefore the House had no choice. [Mr. GLADSTONE: Never!] He appealed to the recollection of the House. The Opposition had been compelled to adopt this course, and unless the House was prepared to adopt every measure brought forward by the Crown, minorities must vindicate their rights.

MR. DENISON said, he must repudiate the imputation which had been cast on the Opposition side of the House, that they in any way calculated on the indisposition of the Prime Minister in the course which they deemed it to be their duty to take.

MR. CANDLISH explained and apologized for having misunderstood a previous remark, which gave rise to his observation.

MR. CARDWELL said, he would suggest that, on the understanding that there would be no objection to a Morning Sitting on Friday, the Government would not be disposed to press for one to-morrow.

MR. COLLINS was of opinion that that was a fair proposal.

THE MARQUESS OF HARTINGTON took occasion to explain that Government had never entered into any engagement that the Westmeath Bill should be fixed for to-morrow.

SIR JOHN PAKINGTON made another appeal to the Government.

MR. GLADSTONE said, he would assent to the proposal to waive a Morning Sitting to-morrow (Tuesday), on the understanding that there was to be one on Friday, and subsequently on Tuesdays and Fridays, as long as was required by the state of business.

Question put, and *negatived*.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Amendment and Motion, by leave, *withdrawn*.

Committee to sit again upon *Thursday*.

BRIXTON PRISON BILL.

On Motion of Mr. WINTERBOTHAM, Bill to authorise the purchase of Lands for the purpose of enlarging Brixton Prison, in the county of Surrey, *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

Bill *presented*, and read the first time. [Bill 177.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 3) BILL.

On Motion of Mr. WINTERBOTHAM, Bill to confirm a Provisional Order under "The Local Government Act, 1858," relating to the district of Kingston upon Hull, *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

Bill *presented*, and read the first time. [Bill 178.]

NEW MINT BUILDING SITE BILL.

On Motion of Mr. AYRTON, Bill to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire property for the erection of a New Royal Mint; and for other purposes, *ordered* to be brought in by Mr. AYRTON and Mr. BAXTER.

Bill *presented*, and read the first time. [Bill 176.]

House adjourned at Three o'clock.

HOUSE OF LORDS,

Tuesday, 6th June, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—Pharmacy* (153); Gas Works Clauses Act (1847) Amendment* (154); Union of Benefices (155).

Third Reading—Canada* (112), and *passed*.

The House met—

PHARMACY BILL [H.L.]

A Bill to amend the Pharmacy Act, 1868—Was *presented* by The LORD PRESIDENT; read 1ª. (No. 153.)

UNION OF BENEFICES BILL [H.L.]

A Bill to extend the provisions of an Act made in the twenty-fourth year of Her present Majesty, intituled "An Act to make better provision for the Union of contiguous Benefices in cities, towns, and boroughs"—Was *presented* by The Lord Bishop of EXETER; read 1ª. (No. 155.)

And their Lordships having gone through the Business on the Paper, without debate—

House adjourned at a quarter past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 6th June, 1871.

MINUTES.]—Select Committee—*Sixth Report* —Committee of Selection [No. 71].

CASE OF MARY LOVELL.—QUESTION.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether his attention has been called to a case of alleged great severity on the part of the Dorchester Magistrates in sentencing a girl of thirteen years old, named Mary Lovell, to twenty-one days' imprisonment, with hard labour, and five years in a reformatory, for stealing a broken milk jug?

Mr. BRUCE: Sir, I have inquired of the magistrates, and received their answer. The case, as it has appeared in the public journals, is briefly stated as follows. Mary Lovell, a girl of 13 years of age, heretofore of good character, and the child of parents of good character, was charged with stealing a jug, which she had taken to the place whence it was said to have been stolen, and which she accounted for by stating that it had been given to her by one of the servants in consequence of its being broken. It is very naturally urged that, inasmuch as she had taken the jug to the place whence she was supposed to have stolen it, that fact afforded a strong presumption of her innocence. That was the statement of the papers; and yet, it was said, in the face of these facts, the magistrates inflicted a sentence of three weeks' imprisonment and a further sentence of five years' imprisonment in a reformatory. The statement of the magistrates is this. Mary Lovell was the daughter of a labourer, and was in the habit of going to Mr. Foster's to receive charity in the shape of soup and milk. On a certain day, the 1st of May, Mr. Smith, a dairyman and tenant of Mr. Foster's, left a jug at Mr. Foster's house, with milk in it. The jug was washed and put aside, and when Smith's wife called for it in the evening it was gone. Various articles had during the preceding three months been missed from Mr. Foster's house; and three days after this jug had been missed, Mary Lovell took it, not to Mr. Foster's house, but to Mr. Saunders', a different place altogether, and it was there recognized in her possession by Mrs. Smith. She was asked where she got it, and she said she got it from a man of the name of Charlie Swindle. The house of her parents was searched, and in it were found three or four articles of crockery which were sworn to be the property of Mr. Foster. She was then brought before the magistrates, and the statement she then made was that she had received it not from Charlie Swindle, but from a servant of Mr. Foster's. Mr. Foster's servant maintained that she never gave her the jug; and the magistrates, putting these circumstances together, were of opinion that she had stolen the jug, and that those other articles which had been taken away from Mr. Foster's possession could not have got there without her mother's knowledge. They were of opinion that the facts showed that the girl must have been in the habit of frequently thieving, and that these thefts were committed with the mother's knowledge. They therefore thought it their duty to commit her to prison in order that she might further be committed to a reformatory; and the reason they gave for imposing a sentence of three weeks was that the governor of the prison, who was present at the trial, said that three weeks would elapse before the necessary correspondence of the committee who managed the reformatory could be completed. The reason why so long a sentence as five years in a reformatory was inflicted was that the committee refused to receive any inmate who was not sentenced to that period. The magistrates also said that it would have been in their power to make a representation to the committee at a subsequent period, and to have obtained the release of the girl at an earlier time. However, the committee of the reformatory subjected her to a medical examination; and as it appeared that she suffered from some defect in her eyesight, they declined to receive her. The girl's sentence has, therefore, now expired, and she is released. Under these circumstances—supposing them to be accurate—I think the magistrates acted to the best of their judgment for the good of the child. They were of opinion that whatever might have been the previous good character of the child, she had fallen into frequent error, and that her mother must have been cognizant of her acts; and they thought it their duty to make provision for the child's permanent reformation by sending her to a reformatory.

CESSION OF HELIGOLAND.—QUESTION.

SIR JOHN HAY said, the House would recollect that during the negotiations of the Treaty of Peace between France and Germany it was reported that Pondicherry was about to be claimed by Germany with a view to exchange it for Heligoland. Again, within the last few days, German newspapers, which were supposed to be well informed, had asserted that other arrangements were in contemplation by which Heligoland should be ceded by this country to Germany. He therefore wished to ask the Under Secretary of State for Foreign Affairs, If he will inform the House whether there is any foundation for the statement that proposals have been made in regard to a cession of Heligoland; and, if so, whether Her Majesty's Government have given these proposals any consideration?

VISCOUNT ENFIELD: I am able, Sir, to inform the hon. and gallant Gentleman that no proposal has been received for the cession of Heligoland to Germany, and that there is no Correspondence on the subject.

ARMY—RECRUITING.—QUESTION.

COLONEL C. LINDSAY asked the Secretary of State for War, as to the terms upon which a recruit is enlisting at the present moment, viz., Whether he has made or intends to make a regulation for giving a soldier the option of re-engaging with the standards, from period to period, up to twenty-one years, so as to entitle him to a pension, provided that his health and his conduct are good?

MR. CARDWELL: Sir, infantry soldiers are at present enlisted for six years with the colours and six with the Reserve. It is intended to permit such soldiers as desire it, when the authorities also desire it, to go on for the full period of 12 years; and those who go on for 12 years will have the same privilege of re-engaging to complete their service of pension as those who have originally enlisted for 21 years.

ARMY—VOLUNTEERS AND HYDE PARK.
QUESTIONS.

MR. ARMITSTEAD, for Mr. HERBERT, asked the Secretary of State for War, If it is true that Volunteer regiments on the road to drill are forbidden to cross Hyde Park from north to south, accompanied by the mounted officers; and, if true, by whose order and if he approves of it; and, if it is the case, for what object men who give up time and service to the Country gratuitously should be so restricted?

SIR JOHN TRELAWNY said, he rose to Order. He wished to know whether the second part of the hon. Gentleman's Question, describing the services of the Volunteers as gratuitous, was in Order? A Parliamentary Paper showed that the Volunteers cost £850,000, and he held that they were servants of the Crown; that they were paid; and that they ought to be under strict discipline.

MR. SPEAKER: Questions ought to be restricted to statements of facts; but I do not know that there is anything out of Order in this Question.

MR. AYRTON requested his hon. Friend to be good enough to repeat his Question on Thursday next, and in the meantime he would make inquiry into the particular case to which the Question referred. He had not yet been able to discover what had really taken place.

COMMERCIAL TREATY WITH FRANCE.
QUESTION.

MR. MIALL asked the Secretary of State for Foreign Affairs, Whether any Communication has been made by the French Government to Her Majesty's Ambassador in France, in reference to the abrogation of the existing Treaty of Commerce; and, whether there is any objection to lay upon the Table of the House at an early date, all the Correspondence and Papers bearing thereon?

VISCOUNT ENFIELD: I believe, Sir, that allusions have been incidentally made by the French Government to the English Representative in France not as to the abrogation of the Commercial Treaty, but in reference to certain portions of its stipulations, but there have been no official communication on the subject, and consequently there is no Correspondence or Reports in connection with it that can be presented to Parliament.

STATE OF CUBA.—QUESTION.

MR. R. N. FOWLER asked the Under Secretary of State for Foreign Affairs, Why only extracts from the Cuban Despatches are published in the

Slave Trade Papers; and, whether he will publish those parts of them which describe the present state of affairs in the Island?

VISCOUNT ENFIELD replied that he was afraid he could not comply with the request contained in the latter portion of the Question. All the Papers that could be submitted to Parliament without detriment to the public service had been presented.

STATUES OF STATESMEN.—QUESTION.

SIR JOHN PAKINGTON asked the First Lord of the Treasury, Whether he intends to adopt the plan recommended by the Committee appointed by the Treasury "to report upon the open air spaces available in the vicinity of the Palace of Westminster for the Statues of Statesmen;" and, whether the Committees for erecting the intended statues of Lord Derby and Lord Palmerston are to understand that it is the final decision of Her Majesty's Government on this subject to carry out the plan referred to?

MR. GLADSTONE: Sir, I can at once inform the right hon. Baronet that there is no formed intention on the part of the Government to treat the Report made by the Committee appointed by the Treasury as a final document. The right hon. Baronet, together with other Gentlemen, made an application to me in reference to the mode in which the unoccupied spaces near the Houses of Parliament should be made available as sites for the statues of distinguished statesmen. Although I feel with the right hon. Baronet that it is desirable to proceed in a matter of this kind with expedition, still we must not forget that the subject is one in which those who are to come after us will have a considerable interest; and, considering how often we have had to go backwards and forwards in our opinions on such subjects, my desire is not that my own opinion should prevail, but that the opinion of Parliament and of the public should be directed to the question, so that we may have the best chance of arriving at a satisfactory conclusion with reference to it. While admitting that the opinion of the Committee is entitled to considerable weight, I shall feel myself bound before taking any steps upon it to hear what my right hon. Friend the First Commissioner of Works has to say with respect to the plan that the Committee have recommended. It is my intention to lay the Paper in question upon the Table of the House at as early a date as possible, in order that by inviting criticism upon it we may make sure of arriving at a conclusion with reference to the subject that may be permanently satisfactory.

ARMY—PROMOTION IN THE ARTILLERY.

QUESTION.

MAJOR ARBUTHNOT asked the Secretary of State for War a Question, of which he had not given Notice, with respect to the report that it was the intention of the Government not to ask Parliament for the Vote of £5,000, which sum the Government had proposed to apply towards removing the block that had occurred in the promotion of the Officers of the Artillery?

MR. CARDWELL said, he preferred postponing his Answer to the Question until the hon. and gallant Gentleman had had an opportunity of giving him due Notice of his intention to ask the Question.

MANNING THE NAVY.

MOTION FOR A ROYAL COMMISSION.

MR. GRAVES, in rising to move—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the present means of manning the Navy, the keeping up of the requisite supply of men for the Naval Reserves, and to consider whether the services of the seamen of the Mercantile Marine, and the seafaring population generally, might not be made more readily available for the Naval Service of the Country in times of sudden emergency or war,"

said, that if any excuse was required for introducing this subject to the attention of the House, the events of recent months would have removed it. A very great portion of their time had been occupied in the discussion of our military organization with a view of strengthening that part of our national defence which was dependent upon the Army. Whether that policy was a right one he would not then discuss; time alone would answer that question satisfactorily and finally. But allowing, for the sake of argument, that all the results anticipated were realized, it would afford no answer to those who required that our naval defences should be looked to, and that the commerce of the country should be free to develop itself without being affected by those periodical panics which were to a great extent produced by the defenceless position of the country. In that view it was not our military, but our maritime forces that claimed our first consideration, and he hoped to be able to show to the House that our Navy might, without unduly burdening the resources of the country, be placed in a position of strength, as compared with the Navies of other nations, sufficient to satisfy the just expectations of the country. He should confine himself wholly to the *personel* of the Navy. Months would build ships; but it required years to man them efficiently, and he should hope to show the House that the time had arrived when it was desirable to cause an inquiry to be made into those Reserves on which we must rely in case of emergency, in order to ascertain whether they were sufficient, and, if not, how best they might be strengthened. It was just 12 years since a Royal Commission had been appointed to inquire into the best system of manning the Navy and of maintaining our Naval Reserves, and upon that Committee sat some of the most distinguished men in both Houses of Parliament—and notably the right hon. Gentleman the Secretary of State for War—many officers of high rank in the service, and able representatives of the mercantile and commercial world. As might have been expected from a Commission so constituted, they presented a most valuable Report to that House. It was quite true that many of the suggestions of that Commission had been carried out, either in part or altogether; but it was equally true that some of their most important recommendations had been wholly ignored. For instance, the suggestions made by the Commission as to the proper strength at which our Naval Reserves should be maintained had been disregarded, as the present state of our Reserves proved; so also their suggesting that training ships should be established in our principal commercial ports for the recruiting of Reserves had also been left unfulfilled. Since that Report had been presented to the House great changes had arisen in our Mercantile Marine, caused by the introduction of steam power, and also in the Navy itself; and every year served to show more and more clearly the absolute necessity that existed for having our men highly trained as gunners and as seamen. The Admiralty had adopted the policy of limiting recruiting to what was necessary in time of peace, and therefore it behoved Parliament to look with care into the condition of our Naval Reserves, which would be our sole reliance in the event of our being engaged in war. Of the excellence of the men actually raised in the Navy he could not speak too highly. Boys were most carefully selected, and men kept a sufficient number of years in training ships under the most perfect discipline, and they became in due time the most perfect seamen that any country could possess. Had we merely to provide a Navy for peaceful purposes, no system could be more efficient than that adopted by the Admiralty. The admissions of the First Lord of the Admiralty in moving the Navy Estimates on the subject of the difficulty of obtaining the requisite number of men for manning the Navy were so frank as almost to disarm criticizm. For many years it had been maintained that the number of boys in the Navy was insufficient, and the right hon. Gentleman had admitted most fully the truth of that allegation. Unfortunately the difficulty thus created was not easy of solution, for there was a wide gulf between the Mercantile Marine and the Navy, and no effort was made to draw the two services into closer communion. The Admiralty, in educating boys for itself, isolated itself from the great body of the Mercantile Marine. It was worth considering whether that system was a wise one—whether it might not be possible, and would not be prudent, to supplement it by some method by which common training schools should be opened for the boys intending to join either the Navy or Mercantile Marine. One of the most important recommendations of the Commission of 1859 was that boys destined for both the services should be trained on board the same ship. The Commissioners said that that plan would not only produce greater economy with regard to training, but would also create kindly feelings between boys destined for the two services. So far from that recommendation having been carried out by the Admiralty, the Navy was completely isolated so far as concerned the training of boys. The training in the Navy was excellent, but it was costly. The average net cost per boy per annum was £54 in the Navy; whereas the average cost of training in the training-ships belonging to industrial and reformatory institutions was £19 6*s.* per boy per annum. It was certain that, upon every ground, the extension of training ships was highly desirable; and when a short time ago he visited Greenwich Hospital, the idea could not but occur to him that it might be turned, with much advantage to the nation, into a great training establishment for the combined services. The branch of Reserve to which he particularly wished to refer was the Naval Reserve. That body had sprung into existence in consequence of the recommendations of the Commission of 1859. It had been found impossible to rely on the bounty system, the press-gang was out of the question, so that voluntary service was the only alternative they could fall back upon. The Manning Commission recommended that the country should possess a body of from 20,000 to 30,000 sailors as a Reserve force, that they should be employed in the Mercantile Marine during time of peace, and should be available for the service of their country if war broke out. Now, he was aware that there were differences of opinion respecting the value of that Reserve. On the one hand, it was maintained that the men were not equal in *physique* and *morale* to the regular blue-jackets; that it was not a reliable force, because their ordinary occupation took them all over the world; that they might be farthest away at the moment when they were wanted; and that for the same money a more reliable force might be obtained. On the other hand, it was argued that the creation of this force had tended greatly to break down the old prejudices between the Navy and the Mercantile Marine—that it was gradually bringing about the existence of a friendly feeling between the two services—that the *physique* and *morale* of the Reserve men were excellent, and that the reason why it had not increased to full strength was that the regulations under which it was now worked were not consistent with common sense or with the intention of those who recommended the creation of a Reserve. Some of them certainly did not recommend themselves to the general approval. For instance, the original rule was that men under 5 feet 5 inches should not be eligible for the Reserve, but that it should be in the discretion of the Admiralty or of the registering officers to accept men under the standard height, provided that their general character and *physique* were such as to make them useful and valuable men. A year ago, however, that discretionary power was withdrawn, and the 5 feet 5 inch rule was made a hard-and-fast one, so that even continuous service men who had served their full 10 years in the Navy, but who were under the prescribed height, were actually unable to enter the Reserve. A tall, lathy young man was allowed to enter the Reserve; but a powerfully-formed man, even if he should be a sea gladiator, was rejected if he was under 5 feet 5 inches. Now, he had taken the trouble to inquire into the average of the crew of one of Her Majesty's ironclads, and he found that out of 360 men no less than 42 per cent were under 5 feet 5 inches. Again, in regard to the men known as "riggers"—seamen who lived on shore and were occupied in moving vessels from dock to dock, and in and out of port, men of most excellent character and good seamanship, and upon whom the Admiralty could put its hand at any moment—yet those men were precluded by the regulations from volunteering for the Reserve. Again, it used to be the practice to allow the Reserve men to train at or near their own homes, but they were now compelled to proceed for that purpose to a port where there was one of the Reserve ships; and thus, for example, the Reserve men of the Isle of Man, about 70 in number, had to go to Liverpool for their training, and were consequently exposed to all the temptations and vices of that port. It could not be a question of gunnery, for the men were absolutely trained with the old exploded gun. Admiral Codrington, in his Report on the Reserves just presented to the House, speaking of what he had seen on board the *Dædalus* at Bristol, said that the naval volunteers then in training, 104 in number, were a fine set of men, clean, orderly, and attentive, moving with alacrity, well up in their gun, cutlass, and rifle drills; but he much regretted that they were being trained with the old 32-pounder gun instead of on the system now in use in Her

Majesty's ships. Again, when inspecting the *Eagle* at Liverpool, Admiral Codrington made use of nearly the same language, and strongly recommended that marine guns and marine drill should form the course of instruction instead of the 32-pounder which the men would now never find in Her Majesty's ships. When, therefore, comparisons were drawn between the men of the two services, it should always be remembered that justice was not done to the Reserves, whether from motives of ill-advised economy or some other causes he could not say; but when these men went on board other ships they found a gun practice there entirely at variance with that to which they had been accustomed, and which they would never meet with at sea again. Hon. Gentlemen would remember that a gallant Friend opposite put a Question to the First Lord of the Admiralty, a short time ago, as to the number of men in the second Reserve, which was created as an experiment last year or the year before by the then First Lord of the Admiralty. The answer was that seven men had joined within 12 months. That was not a very satisfactory answer, and could not leave on the mind the impression that in the second Reserve we had a numerous force upon which we could rely in time of need. He considered the paucity of this force so strange that he took the trouble of writing to some of our best shipping masters who were most acquainted with the matter to ask if they could account for the circumstances that there were only seven men in the force. One of the gentlemen to whom he had written stated that numerous candidates were rejected as either being too old or too young, or under the standard height, and expressing an opinion that boys ought to be admitted when they were of strong *physique* and likely to grow into strong men; some, it was said, had been rejected because they were too young, although they were above the standard height; many had been rejected on account of the hard-and-fast line which was drawn—many who would eventually have made first-class men, because they had not attained their full growth at 18. Had the rule been drawn up with the view of making the scheme a failure, it could not have been better framed. Too little discretion was left to the officers who were capable of exercising a wise and sound discretion. Another opinion which he had received stated that one of the principal causes of failure was that the age of from 18 to 25 was too limited; and another was, that the ports at which men would be admitted were not adequate, being only seven in number, men from Newcastle and Sunderland, for instance, would have to go to Hull, while fishermen from the Irish coast, the Orkneys, and the Shetlands would have to make perhaps a week's journey in order to make application for admission which, after all, might be refused. Under these circumstances, it was no wonder that only seven men had joined the second class Reserve during the past year. The only wonder was that so many had done so. And now a word as to the officers of the Reserve. These, he thought, were drawn too much from what he should call the highest class of the Mercantile Marine, men who had the most responsible employment of their own, who were rarely in port for more than a few days at a time, officers who commanded important ships in the East India trade, and came only once a-year to our shores. A greater effort ought to be made to recruit the Reserve from mates and from the boys who were being educated to become officers of the Mercantile Marine in such institutions as the *Conway* and the *Worcester*, who would be invaluable in a Naval Reserve, and who were only waiting to be asked to give their services to their country. One point more with regard to the Reserve. Some two or three years ago we had 17,000 able-bodied men in the Reserve. To-day we had little more than 14,000. There was a squeezing out process going on, under the idea, probably, of getting a better average of drill; but he could not help thinking that if the success of the Reserve in all its branches, if its maintenance in its full strength were to be held out as a qualification for promotion in its management, the result might be very different. A little more departmental responsibility might possibly bring about a better state of affairs. There was a curious thing connected with the officers' drill, of which he was reminded by a letter in his hand. A lieutenant in the Naval Reserve who had been constantly at sea during the last few years wrote that on his arrival at home he asked to be allowed to take two months' consecutive drill; but he was informed that he could not have it, it was contrary to the regulations, one month being the specified time, and the result was, as the writer remarked, that while the officers of the Royal Navy were allowed three months' drill on board a gunnery ship with the best instructors, no such advantage was afforded to the officers of the Royal Marine. The captain of one of a large line of steamers engaged in the American trade, which entered one of our ports on a Thursday, and who usually left on the Thursday following, was anxious to have two or three days' drill each time he was in port, but that he was told he could take nothing under a week, so that with the fixed periods of a month and a week, it was extremely difficult for a man to put in his drill at all under the regulations. He would now pass to the question of the Mercantile Marine, and he did not know, looking at it solely in a defensive point of view, whether he should be justified in doing more than merely introducing it into the discussion on the present occasion. The time would, he hoped, come when the progress of the Merchant Shipping Bill would enable the whole question to be raised of the recruiting of the Mercantile Marine from a Mercantile Marine point of view, and he should not now touch upon it but for the importance which must be attached to it by the country in cases of emergency. That there was a deterioration in our Mercantile Marine was, he believed, beyond all doubt. As the result of the labours of a Committee of Inquiry which investigated the subject in Liverpool, and which was not composed of shipowners, or mere philanthropists, but of a combination of representative men, he found that in answer to a circular which had been sent to numbers of leading masters and owners of ships in the Port of Liverpool, as to whether deterioration existed in the Mercantile Marine, and what were its causes, statements to the following effect had been made:—In 89 per cent of the answers it was stated that the seamen had deteriorated, in 65 per cent that they had deteriorated in physical condition, and in 71 per cent that they had deteriorated in subordination. The cause was attributed in 47 per cent of the replies to the doing away with the compulsory apprenticeship system, while in 54 per cent it was ascribed to the introduction of foreign seamen into the service. That brought him to the point that if our Royal Marine was to be regarded as an efficient Reserve, it was a matter of great moment that we should have men on whom we could rely, and who were British subjects at heart. That foreigners were employed in the mercantile service to a great extent was beyond all question, although the statistics which had been presented to the House did not afford full information on that part of the subject. He said so because, as several hon. Members were well aware, there were many foreigners in the service who called themselves Englishmen. We had 195,000 seamen, so-called, in the Mercantile Marine; but if from that number were deducted stokers, boatswains, boys, &c., it would be found that the number of able-bodied seamen amounted to, as near as he could ascertain, about 70,000, of whom 20,000 were foreigners. But even that did not fairly represent the state of the case, as illustrated by a letter from a coxswain to a gallant Admiral, which had been sent to him, and which gave a return of the number of foreigners composing the crew on board his ship. Among them was one named Charles Johnson who was a Greek, another named Smith who was a French Canadian, a Norwegian, a Frenchman, and a German, and a Russian, who had both been committed to gaol for stealing. The name of the ship he might add, was the *Greyhound*. Here was an instance, in which men appeared on the strength of a ship's crew under the names of Englishmen although they were actually foreigners. In the last Report of the Sailors' Home at Liverpool, through whose books 8,000 seamen annually pass, the committee state that the seamen are becoming more temperate, but that the old Jack tars are decreasing, and that the foreign element is on the increase. Now, when he spoke of deterioration, he did not refer to moral deterioration, because there was a gradual and perceptible improvement in the habits of the seamen. The Mercantile Marine was not, however, in his opinion, recruited as it ought to be, looking upon it in the two-fold light of what was desirable for its own purposes as well as for naval purposes. There were 400,000 tons of shipping building at the present moment in this country, which consisted entirely, with the exception of about 10,000 tons, of steamers. Now, it was well known that steamers were not a nursery for seamen, the steamers of this country not having above 500 boys on board. Now as steam was displacing sail with rapid strides, it was but a question of time when the old nursery for boys on shipboard would be completely exhausted. There was, no doubt, something being done on board our training ships; but they did not furnish the class of boys which would be deemed desirable in a naval or Mercantile Marine point of view. The great bulk of those vessels were under the operation of the Industrial Schools Act. In Liverpool there were four training ships, two reformatories, &c., and while, no doubt, the merchants of Liverpool were quite willing to afford any aid in their power towards the maintenance of those desirable institutions which afforded a means of education for our street Arabs, he felt sure they were not desirous that the whole of the recruiting for our Mercantile Marine should depend upon that class. Some of the training ships experienced a difficulty in getting the boys taken off their hands, and the *Chichester* might be pointed out as an example. Boys of 10, 11, and 12 years of age, who were kept on board ship for 18 months, could hardly be supposed to be of any great value to shipowners, but if boys were taken at the age of 13 and kept, as in the Navy, for three or three and a-half years, there would be no difficulty in their procuring employment to any extent. He did not, however, wish for anything beyond the development of a system, in strict accordance with the ordinary rules of supply and demand. He did not know that there was any other point connected with our seamen to which it was necessary that he should refer, though he had merely glanced at what he regarded as a very important question. To sum up his argument on this branch of the question, he maintained that it was a matter of the utmost interest to the State that when we were depending on our Mercantile Marine as a Reserve in time of war that some little encouragement should be given, and care should be taken, as far as possible, to foster a system of education and recruiting, which would secure, when necessary, the services of good and suitable men. There might be differences of opinion as to the extent to which the State should go. He contended that there was a moral obligation upon the State to keep up, at least, the supply for the Naval Reserve—that the drain upon it should be maintained at the expense of the State, and not at the expense of the Mercantile Marine. If, for instance, the Reserve force was fixed at 20,000, and the annual drain was shown to be 10 per cent, it would require 2,000 recruits to be annually raised, and this was the measure of obligation from which the State could not escape. The most important, perhaps, of all the results which he contemplated was the possibility of drawing into some thoroughly digested scheme of organization the great bulk of our maritime population. The country had unmistakably asked for, and would have, flotillas to defend the commercial ports. He believed at each of the commercial ports around our shores there was at hand a mass of material, with all the loyalty and patriotism which attached to the Volunteers inland, ready to come forward, provided proper encouragement were given to them. There were innumerable fishermen around our coasts, there were pilots, and others who lived by boating, who were admirably adapted for the purposes he had indicated. He had seen a Return, from which it appeared that there were 153,000 fishermen, and 13,000 or 14,000 boys; and it was worth considering whether some scheme might not be devised which would cost the country little or nothing, and the mainspring of which would be the patriotism of these men, who would be found quite willing to come forward and enrol themselves as volunteers if the necessary vessels were provided for them. Those men might not have the larger knowledge of Reserve men; but they had all the knowledge required for their own particular localities, being well acquainted with the banks, tides, and currents, and they would be especially valuable for gunboat service. With the unrivalled maritime resources which this country possessed it only wanted the grasp of some comprehensive mind to bring the whole of those elements together, and place them at the service of the country, which might be done at a very small expense. The inquiry he sought would enable them to judge whether the commercial ports would do anything to encourage such a scheme. They knew what the towns had done in the matter of Volunteers; and he believed the ports were prepared to do something as well. He might mention that a letter had been sent from Dundee to the Board of Trade stating that in that port alone there were 400 men who would be willing to join such a force if called into existence. It was desirable that the question should be inquired into, and he would prefer a Royal Commission to a Committee of the House for conducting the inquiry, inasmuch as the subject required great care and deliberation, and would have more attention paid to it by a Commission than by a Committee of overworked and overstrained Members of Parliament. What he aimed at was such a Commission as had been appointed in 1859, consisting of men of the same high class, character, and reputation, bringing down the inquiry to the present day with a view to the organization of our maritime resources in a manner consistent with economy and efficiency. A Royal Commission would be more suitable than a Committee, because it would leave in the hands of the Government the direct nomination of every member to serve on it. What was wanted was a thorough and earnest inquiry. Various schemes were at the present moment occupying public attention for dealing with this very question which he had brought under the attention of the House. An officer high in the confidence of the Admiralty had issued an important Report for utilizing our mercantile population, and dealing more boldly even than he had done with our Reserves and continuous service men. He saw great objections to that scheme. The head of a department in the Board of Trade also propounded a scheme for dealing with the same question. A late Lord of the Admiralty (Sir Frederick Grey) had given his mind to the subject, and published his views on the question, and there were many other distinguished officers in the Service who had done the same. Mr. Lindsay, formerly Member for Sunderland, whose name was well-known in connection with this subject, and who served on the Royal Commission of 1859, had written to him (Mr. Graves) to say that a complete and comprehensive system was required, and that such a scheme would save from ruin, and provide with employment, thousands of friendless boys, who could be made of much value to the State and to the merchant service by being employed in industrial pursuits in time of peace, and in our coast defences in time of war, and Mr. Lindsay expressed his willingness to submit his views to a Commission, if one were appointed for their consideration. With so many various schemes in existence, it was extremely desirable that they should be well sifted. He would only ask, if the Government granted the Commission, that it should be as free as possible from the departmental or official mind. He said so with all respect, but he wanted Commissioners whose minds were free and fresh upon the subject. He hoped a Commission would not be objected to on the ground of expense. It might cost a couple of thousand pounds; but when they had been discussing for the last two months a most costly, he would say an extravagant scheme for military organization, involving an expenditure of millions, he did not expect he should be met with an objection to a Commission on the score of expense. He also hoped the objection would not be urged that there was evidence enough, and that the inquiry of 1859 had exhausted the subject. Up to that time, no doubt, the Royal Commission of 1859 had exhausted the subject. But there was much in the altered circumstances of the country, and much in its connection with other countries, as bearing on this subject, to be inquired into. He believed no mere departmental inquiry would be satisfactory; it would be of little use for the Admiralty to promise that an inquiry should be held. He asked the Government either cordially and freely to institute a Commission, or at once to negative the Motion. He did not think the recommendations of a mere departmental inquiry would have that weight and authority with this House which a Royal Commission would command. He had framed this Motion with no wish to rush into a large expenditure, and still less in any party spirit; but because he believed that the highest interests of the country were involved in this question. In his opinion we had made the mistake of beginning with the inner line of defence instead of the outer line. This error should now be repaired, as far as the House could do so, by sanctioning this inquiry, and in the conviction that the best guarantee for its defence which a nation could possess was the opinion of other nations that its shores were impregnable, he would submit his Motion to the House. The hon. Member concluded by moving the Resolution of which he had given Notice, and which he felt sure would receive full, frank, and favourable consideration.

Vice Admiral ERSKINE, in seconding the Motion, said, he thought the House was under great obligations to his hon. Friend for the great mass of information he had laid before it respecting the Mercantile Marine, between which and the Navy he had long desired to see a closer connection. Such a Commission of Inquiry as now proposed would be of the greatest service in tending to reconcile conflicting opinions on this most important question of the Naval Reserves. There were two propositions on which there could be no difference of opinion—First, that at present we had in the Royal Navy 18,000 men, and, including the Coastguard afloat, about 22,000, seamen, who for discipline and efficiency left nothing to be desired; and secondly, that if we wished to increase that force by 100 men we could not do so by any possibility without calling out the Royal Naval Reserve, in which case we should get excellent seamen but not exactly the trained men required for naval service. Now, what was the cause of this serious state of things? It was, undoubtedly, to be found in the fact that we had persisted in maintaining a system which was founded on principles opposed to those adopted by the Secretary for War in creating a Reserve for the Army; and the remedy was simply to adopt the same plan as that of the Army Reserve, and which was of much easier application to the Navy than to the Army. The Secretary for War called short service the "soul of the Reserve;" the system being to train in the Regular Army as many men as possible, and make them efficient reserves for the future defence of the country. The Prime Minister had also stated that the object was to have an Army with the colours relatively small and reserves relatively large. Now, their contention was that for the purpose of securing such an expansion short service was the best system, and the readiest and most effective resource. Yet, while the system of short service was advocated for the purpose of establishing the Army Reserves, the system of continuous service was advocated for the Navy, and it might have been supposed that the First Lord was answering the arguments of the Secretary for War and the First Minister. Now, if continuous service in the Navy were unlimited service, he should despair of forming a Reserve. But the service was really for 10 years, from the age of 18 to 28, and at the end of that period a man could claim his discharge, freed from all obligations for the future. Under this system we were every year discharging a considerable number of men. In the year 1869-70 4,444 men were discharged, or, deducting deaths, desertions, discharges, &c., 2,943. From this number, again, must be deducted 444 men who entered the Coastguard in that year, though the average was not above 120. Thus every year there were discharged from the Navy not fewer than 2,400 trained men. Of the men so discharged from the Army the great Army of Reserve was formed; but in the Navy they were discharged, and not the smallest pains were taken to insure their coming back if their services were called for. Yet the Admiralty had the power, without coming to Parliament, to give these men a pension of 6*d.* a-day, or £9 2*s.* 6*d.* a-year, and thereby obtain a Reserve which could not be equalled by any other Power in the world. But instead of doing that they had recourse to the merchant navy, where they gave £10 4*s.* a-year by way of retainer and provisions to 14,000 men, and the whole expense of the seamen of the Naval Reserve, with drill ships, officers, &c., amounted to nearly £14 per man. They were paying at that moment £70,000 a-year for the raw material more than they ought to pay for the manufactured article, which they had been at great expense in making, and which they ought to be able to lay their hands upon whenever they pleased. The First Lord of the Admiralty had regretted not being able to recruit the Royal Navy from the merchant service; but the fact was that seamen had lost the habit of entering Her Majesty's service, and four or five years ago he pointed out that it was impossible to expect men to enter the Royal Navy when they were paid £10 4*s.* per annum to keep out of it. Those who did volunteer were not of the best class—for it would be calculating too much on the patriotism or simplicity of the first-class men to expect that they would surrender the advantages they now possess to accept a permanent position in the Navy, where their pay would be inferior to what they received at present. For a long time there had been a confusion of ideas between the flow into the Navy and the overflow from it, out of the latter of which the Reserve ought to be constituted. The boys who were especially trained for the service made admirable seamen; but, as it was necessary to fix their number according to the ordinary demands of peace times, it was impossible to fill up such a large loss as that occasioned by the foundering of the *Captain;* while, on the other hand, if the supply of boys was increased, and no casualty occurred, there would be an excess in numbers. That the confusion to which he referred existed in the minds of the authorities of the Admiralty was quite clear, from the attempt made last year to establish two different Reserves—the one from the young men of the naval service, the other from the old pensioners who had only five or six years to serve in them; but they had neglected the middle class of Admiralty-trained men from which the Reserve of this country ought to be gradually increased. Of the 930 *bonâ fide* seamen who entered the Royal Navy last year 848 were re-entered and the number of first entries amounted to only 82; but if the system of Reserves was to be good for anything those numbers ought to be reversed. Subtracting from the number of men discharged those who re-entered, and allowing for those who were discharged at their own request, there still remained near 2,000 men who were lost sight of every year instead of being draughted into a Reserve force. There ought to be no difficulty about offering to a man on his discharge a short-service pension, in order to induce him to join a Reserve, the most ready means of forming which would be to enlist boys for 10 years, on the understanding that for 10 years further they should receive a pension while in the Reserve. Objections had been made with respect to recruiting for the Army, that if they took young men from agricultural pursuits, after they had served a certain number of years they had lost all taste for agricultural operations and it was difficult for them to find other employment. But that objection did not at all apply to recruiting for the Navy, inasmuch as when men left that service they had the merchant service to retire to, if they pleased. According to the Trade and Navigation Returns it appeared that the maritime population, though it had increased in a greater ratio than the general population, had not increased in the proportion of the tonnage of the country, and therefore they were driven to the necessity of employing foreign seamen. As to the necessity for training merchant seamen, he quoted from a letter from *The Times*, written in December, 1860, by a well-known shipowner (Mr. Mackay), who wished to have every seamen brought up in the Navy and draughted thence into the merchant service, and pointed out that this plan would be an immense economy to the nation. Another point was the provision of officers who were to command, and the importance of this was shown in the speech of the Prime Minister on the second reading of the Army Regulation Bill, wherein he described the officers as the brains of the Army. He would now refer to the subject of the Reserve of naval officers. It would be in their recollection that in January, 1870, an Order in Council was issued, by which our active naval establishment was fixed at 150 captains, 200 commanders, 600 lieutenants, 265 navigating officers—total, 1215. On the 1st January, 1870, there were actually employed 94 captains, 162 commanders, leaving a reserve of only 38; 511 lieutenants, leaving a reserve of 89; and 284 navigating officers, leaving a deficit of 19. Now, assuming that 14,000 of reserved men was the gauge of our wants at sea, they would take the total number of officers employed at 1,051, whereas the total number which the Order in Council required was 1,215, leaving a balance of 164 of Reserve. If that were so they could, by a simple rule of three, calculate the number of officers that would be required. But let them take a more practical test. The number of officers employed in 1856, when we were at war with Russia, was as follows:—144 captains, leaving 6 to spare; 197 commanders, leaving only 3 to spare; 884 lieutenants, leaving a deficit of 284; and 290 staff commanders, leaving a deficit of 25. But that was not all. Since the Crimean War several establishments were added to the Navy in consequence of the discovery of our deficiencies. There had been established three training ships for cadets, and several other training ships for boys; seven large troop-ships, two armed transports, besides eight trial ships for the Naval Reserve. If these ships had been in commission in 1856, there would have been a total deficit of officers of all ranks of 395. The subject was one of great importance, as he considered that the number and quality of our officers at sea were of greater moment than the mechanical perfection of our Navy. He had great pleasure in seconding the Motion of his hon. Friend the Member for Liverpool.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the present means of manning the Navy, the keeping up of the requisite supply of men for the Naval Reserves, and to consider whether the services of the seamen of the Mercantile Marine, and the seafaring population generally might not be made more readily available for the Naval Service of the Country in times of sudden emergency or war."—(*Mr. Graves.*)

SIR JAMES ELPHINSTONE said, he wished to make a few remarks upon the subject before them, as he had served as a member of the Commission to which reference had been made. The time had now come when he thought it was absolutely necessary to take up the thread of the inquiry which that Commission had completed 12 years ago. The work of that Commission had then been exhausted, and the Government had thought fit to carry out most of its recommendations. But since 1862 many changes had taken place, and they now found themselves in the alarming position of having practically no reserve of seamen to fall back upon. The Commission recommended that there should be a Reserve of 4,000 seamen, 11,000 Marines, and 12,000 Coastguardsmen, and that altogether the reserved forces should amount to 30,000. Looking at the large armaments we were obliged to maintain in former wars, amounting to 147,000 men, they also recommended there should be an addition of 20,000 men, to be educated in gunnery and trained to battery service. They further recommended the formation of a Royal Naval Reserve. The present state of things was this—that in consequence of the desertions from the Flying Squadron, the loss of the *Captain*, and the loss of another vessel in the Chinese seas, they were something like 1,000 men short of the required complement. The First Lord of the Admiralty had not a single man to fall back upon—he could not get them out of the merchant service, and if he could they would not be worth having. The Commission also recommended that school ships should be established in all the important ports of Great Britain, so as to give a nautical education to boys of good character from their respective localities; and that in those schools masters and mates of the merchant ships might be educated in the higher branches of their profession. For his part, he thought there ought to be a great central establishment for the nautical education of the youth of the country. It was a great reflection upon this country that, although able to supply seamen and officers to the whole world, we ourselves, from the result of our legislation, were obliged to rely to a great extent upon foreigners of a low description. There ought to be some such place as that to which he referred for the mates and captains of the merchant service, who might have the opportunity between their voyages of perfecting themselves in the study of their profession—a plan which he believed would work beneficially both as regarded the Navy and the merchant service. His hon. Friend had referred to what he called the red tapery of the Admiralty authorities, and to that part of their regulations relating to the standard of height. Now, he (Sir James Elphinstone) had had a great many seamen through his hands, and he could state that sailors of 5 feet 1 inch or 5 feet 2 inches, with the proper length of arm and breadth of chest, were infinitely superior to long, sprawling, splay-footed fellows, who had never any stamina in them. In reference to the training of the Reserve he might say that on the East coast there were small batteries erected, where the men could be well trained under the Coastguard officers of the station. To a very great extent he thought the deterioration in the Mercantile Marine was due to the fact that the practice of taking apprentices had been abolished. Formerly every ship was compelled to carry a certain number of apprentices, according to her tonnage, who, if they happened to serve under shipowners of character and kindness, were well cared for, became masters and mates of vessels, or formed the *élite* of the crews in our merchant navy. But that became a grievance in the early days of Liberalism, and it was supposed that there would be an impediment in the way of competition with foreign countries, unless shipowners were allowed to engage their men as they chose and were freed from the expense and trouble of bringing up apprentices. From that time there had been a decadence in the character of our Mercantile Marine, and the moral character of the men would not bear comparison with that of the men who composed the service 30 years ago, as would be seen if hon. Members would take the trouble to read the police records of our seaport towns. He hoped Her Majesty's Government would see to it that in future no boys be admitted to the Mercantile Navy except such as were the respectable sons of respectable parents; that to go to sea should no longer be the last resort of street Arabs and vagabonds of every description. What he most strongly desired was a Mercantile Marine which should not be in future a sink and cesspool of the outcasts of the country, and that the ships should be manned by respectable English seamen, instead of being filled, as was now too frequently the case, with Continental rubbish.

Mr. GOSCHEN: I have no complaint whatever to make of the tone of the speech of the hon. Member for Liverpool (Mr. Graves), who introduced this Motion. I think he has made a valuable contribution to our knowledge of facts on this most important subject, and in a great deal of what he said I cordially agree; and I am glad that the hon. Member, who is a great authority upon the mercantile and naval services, is diametrically opposed the hon. and gallant Baronet who has just sat down with regard to the moral character of the Mercantile Marine, in which he said there was a decided improvement. I trust the House will take his most valuable testimony rather than that of the hon. and gallant Baronet. Nothing can exceed the importance of the questions submitted by the hon. Member for Liverpool, and I do not wish to depreciate the force of his views if I venture to point out that he took too gloomy a view of the number of sailors in the fleet. We are not, I think, precisely in the position which he represents. The hon. Member spoke first of the Navy proper, and its relation to the Mercantile Marine, next he dealt with our resources. Then he came to the question of the Mercantile Marine; and, lastly, he urged arguments for the appointment of a Royal Commission. He said the course of events had not realized the the recommendation of the Royal Commission of 1869, with regard to the number of men in the fleet; and I may remark that Royal Commissions generally are much more popular before they are appointed than after they have reported; while the Reports of many Royal Commissions have scarcely met with any approval at all. If the recommendations of the Commissioners had, however, been carried out to the full, we should at this moment have had an infinitely greater supply at an infinitely greater cost than the change of circumstances and of time would have justified. And for this reason—that the number of men required to man our present fleet is perfectly different from the number required to man the vessels of the former fleets. I think, therefore, I can show that as regards the number of seamen, and the work they have to perform, we are really in a very satisfactory state; but I would not at present apply that remark to the Reserve. The House should look at the question from this point of view. For a fleet of equal power do we at present require the same number of men, and if not, how many less than we did in former times? And there is another most interesting topic connected with this—namely, if we had many more seamen ready and available at this moment, how should we be able to employ them so that they would not positively deteriorate? The great difficulty with iron-clad fleets is, that you cannot exercise your men, because you cannot send them cruizing all over the world, as before, in these iron-clads on account of the difficulty of sailing and the enormous amount of coal which they would consume. Therefore one of the first principles which must guide us in determining the number of men whom we should keep, and the kind of reserves we should have, relates to the consideration of the number of men whom we can so deal with as to afford them the necessary training. In connection with that point, the number of blue-jackets whom we now have is perfectly satisfactory, and we can readily lay our hands upon them if we wish. I have requested a statement to be prepared showing the number of men that would have served in the 10 ships comprising the Mediterranean Squadron in 1861 as compared with the number required at the present moment; and the result is this—for the 10 iron-clads now in that fleet there are 4,056 officers, men, and boys, while in 1861 the number would have been 6,196, the power of the 10 ships, with 4,000 sailors, being infinitely greater than the power of the 10 with 6,200 sailors. [Sir James Elphinstone: The ships are undermanned.] That is a matter upon which I do not know whether the House will take the opinion of the hon. and gallant Member at once, in opposition to the opinions of many gallant admirals and many excellent captains, and I cannot see why the hon. and gallant Baronet should think they are undermanned when I can point to the number of men we have now got in our home ports who are anxious for employment, and who would at once be put upon ships if necessary. So far from their being undermanned, we have the greatest difficulty in finding employment for our men, and the endeavour of the Admiralty is to fill the ships as much as they can, in order to find the men proper exercise. Of our 18,000 pure blue-jackets there are 2,162 on board the Channel Fleet, which consists of six iron-clads of the largest size, with a tonnage of 41,000 tons, about 9,000 horse-power, and 161 guns. In the Mediterranean Fleet, consisting of six iron-clads, nine sloops, and two gunboats, there are 1,700 blue-jackets; in the fleet on the North American and West Indian stations, 1,300; and in the fleets on other foreign stations, including China, the Pacific, and the East Indies, and those on particular service, there are 5,000 blue-jackets. I am not speaking of the whole complement of the ships, but simply of the blue-jackets; there are besides, of course, the engine-room complements, servants, officers, and boys, and a large force of Marines. But it is with blue-jackets that the House is concerned to-night. We have 7,400 blue-jackets in our home ports, of whom 1,200 are on board the nine Coastguard ships; but that does not include the 4,300 Coastguardsmen. The remaining 6,000 are on board the drill, gunnery, training, and receiving ships, or on leave in the country. Thus we could man another Channel Squadron and another Mediterranean Squadron without wanting a single additional man. Besides these, we have 4,300 Coastguardsmen, who are of the very best class, and realized the kind of Reserve mentioned by the gallant Admiral behind me (Admiral Erskine). Therefore we have 10,000 men at home on whom we can put our hands at once without going to the Reserves proper at all; and these 10,000 men would be equivalent almost to the numbers we have got upon all our fleets. And I am prepared to say that we should be able to man all the ships we have got; and it would only be a question whether the ships could be brought forward rapidly enough in order to utilize the force we have. I admit that that would be a great effort. But it would not be very probable that we should ever need to have immediate recourse to the Coastguard or all the men at the home ports. The increased power of every man, as compared with the number of guns, and the amount of tonnage, is a very important point. I do not dwell on these figures in order to show that we ought not to deal with our Reserves, because I am of opinion that they ought to be dealt with. On one or two points of detail connected with the number of men I may possibly be corrected; but there can be no doubt that owing to the reduction of the number of sailors abroad, and the diminished complements necessary for the iron-clads of the present day, the Navy is now in a more satisfactory condition than formerly in regard to men, although they are fewer in number than when such very large numbers were required for the ships. I will state a few more facts. The *Warrior* has a complement of 709 men, of whom 315 are blue-jackets, while the *Devastation*, one of those great fighting ships now building, of which great things are expected, will have a complement of 300 men, of whom only 110 will be blue-jackets. It is evident how far we can make them go when we know that the *Devastation* will be of 4,400 tons. That is the favourable side of the question. I am as anxious as any man in this House that we should not diminish the number of our seamen, and that we should keep as strong a Reserve as possible; but still I hope no exaggerated opinions will be entertained in reference to our want of seamen. In introducing the Estimates I said we could not, in time of peace, suddenly replace one blue-jacket; but it does not follow that in time of war you would not be able to get them. In time of peace it is difficult to induce men—and I regret it is so to change from the Navy into the merchant service, and *vice versâ.* This difficulty partly arises from the gratifying circumstance that we are able to procure an excellent supply of seamen for the Navy through the training ships. It is to them and not to the Mercantile Marine that we must look for our supply of seamen proper. I believe that it is also a source of regret that our blue-jackets are almost as reluctant to enter the merchant service as the men of the merchant service are to enter the Navy. The two services are very distinct, and the habits of the men of the Mercantile Marine have disqualified them for the strict discipline and cleanliness of a man-of-war. On the other hand, the men of the Navy dislike the untidiness and sometimes dirt of the ships in the merchant service. In fact, the men-of-war's men say they do not like the "hugger-mugger" of these ships. The life of sailors on board a man-of-war is no doubt more confined than that of men in any other profession, and, therefore, they were apt to get more *esprit de corps* than any other profession, This difficulty arises in considering the proposals for change which may from time to time be made. The next point touched on by the hon. Member for Liverpool (Mr. Graves) was the connection between the merchant service and the Navy, and the hon. and gallant Admiral behind me (Admiral Erskine) has asked how we can secure that the overflow from the Navy shall pass into the merchant service, and how the former can be supplied from the latter. The question is whether, if, after a certain time, we discharged our men-of-war's men they would be willing to enter the merchant service, and whether owners and captains would be willing to take them. It has been assumed that this could be accomplished, but it is very doubtful; and I am informed that until great reforms are made in the merchant service it will have very few attractions for men-of-war's men. Therefore, if we discontinue our present system, by which we can get sufficient men, we may find the other plan break down. I wish I could speak with the same confidence of the Royal Naval Reserve as I have done of the mode of manning our fleets. I think the Royal Naval Reserve leaves very much to be desired, and the hon. Member for Liverpool was perfectly justified in calling attention to the dangers which threaten it. He mentioned some objections, and I think it would be possible to find some more. I was glad he did not say, as others have done, that we could not increase that Reserve, because I do not believe that 14,000 men have exhausted all the men we could get. I think it is far more likely that the hon. Member is right in saying that the difficulty lies with the regulations, and that a modification of them would increase the force. The first objection he took was as regards height, and that point has been under the consideration of the Admiralty, and will be decided without waiting for any Royal Commission. Precisely similar calculations have been made by the Admiralty to those brought forward by the hon. Member. We find that a considerable percentage of the men on board these ships is below the standard of 5 feet 5 inches maintained in the Royal Naval Reserve, and consequently it is under consideration whether that cannot be reduced. Another matter to which the hon. Member referred was the amount of sea service, and on that I do not entirely agree with him. The expense of this force is so great that any change in this respect ought not to be made without very careful deliberation. Evasion, as to the amount of sea service is easy, and the more the time is shortened the greater will be the probability of getting men who are not real seamen at all. There may be a question about other classes, such as riggers and fishermen, and that is a part of the question as regards seamen proper. Everyone will agree with me that care ought to be taken that the men are really efficient. Another objection which the hon. Member took was as to the length of the drill. One point on which naval men are strong, as regards the Royal Naval Reserve is, that they would be amenable to discipline, and that drill given in very short periods would make them really valuable additions to the fleet. The question arose where were they to drill? —and, as the hon. Member said, it is rather a hardship that they should not be drilled at their own homes or in shore batteries. Drilling them in shore batteries is almost impossible, and the one aim at which we should strive is that the Reserve should be trained on board a man-of-war. If they had 28 days' drill on board a man-of-war instead of the drill taking place on shore, the object would be attained of letting them have some idea of what a man-of-war was. If that could be secured it would be the best plan. I also concur with the hon. Member that the idea must be abandoned of enforcing, or attempting to induce men of the second Naval Reserve to drill on board men-of-war; and the attempt to drill them must be made in some other manner. Another objection which had been raised, but which had not been considered, was whether, and to what extent, the Royal Naval Reserve would be available in case of emergency. I would wish to mention to the House the position in which they are placed as regards remuneration. They get £6 a-year for a retainer, and £4 for their rations and allowances during the 28 days' drill, so that every one of those men cost the country £10 a-year. Another great source of expense was, when they reached 60 years of age they were to have a pension of £12 a-year. A Royal Navy man might engage for five years, and discharge himself at the end of that period, and if a man is in the Royal Naval Reserve, and discharged himself at the end of five years, he gets £50, and has never done any service whatever. Then, as to the question of seamen pensioners, it is only after 20 years that the seamen pensioners begin to be called into existence. The condition of the blue-jacket, under the continuous-service system, is this; he starts at 18 years of age, and at the age of 38 he is done with his service, unless he re-enters, and is entitled to a pension of £28 a-year. At 38 years he is still capable of rendering efficient service to the State, and as a matter of fact he is bound to render that service. There is a Reserve of 6,000 men in that position receiving pensions at the end of their full time, and bound to serve the State in case of emergency. My right hon. Friend the Member for Pontefract (Mr. Childers) thought that it was unsatisfactory to have a Reserve of whom we knew only so little as that they simply received their pensions every year. Therefore, he directed that it should be ascertained how many were really fit for service; and it appeared that there were 3,500—a very valuable body if they could be immediately laid hold of. Accordingly, a scheme has been made by which, in addition to their service pension, they are to receive a small retainer for drill, to keep them up to the mark, and to enable Government to have its eye upon them. That brings me to this question. There are two entirely separate objects to be attained by this system of retainers and pensions. One is to secure your knowing where a man is to be found when wanted, and the other is that he should be efficient. The system of pensions which exists is one that requires very grave consideration on the part of this House, because pensions are now being offered which will come into force 10, 15, or 20 years hence, both in the Reserve and in the Marine service, and Estimates are being prepared to show what the ultimate liability will be; and I hope to be in a position to call the attention of the House to that subject on a future occasion. The House may ask me why I have not at once gone into the point raised by the hon. Member for Liverpool—and why, if I admit the question requires so much consideration, I do not say — We will have a Royal Commission. I think it is important to the House to know what kind of questions will have to come before such a Commission, and what kind of questions will come before the House for legislation. As regards this question connected with the manning of the fleet, there are questions connected with the Reserves and with the question now operating on the Navy through the Mercantile Marine; and the endeavouring to strengthen ourselves, not directly by increasing our forces or Reserves, but by dealing with the Mercantile Marine and making grants from the public exchequer in order to assist in the creation of the mercantile service. The hon. Member for Liverpool raised the point of the employment of foreigners, and the hon. Baronet (Sir James Elphinstone) raised the question of apprentices. I understand one of the questions that would come before the Commission would be this—What means must be taken to increase the number of seamen in the Mercantile Marine as compared with foreigners? I understood the hon. Member for Liverpool to say that the employment of foreigners in our Mercantile Marine was becoming such that it was necessary that Parliament should use means of dealing with it with a view to checking it. Well, now, I ask the hon. Member as a shipowner why, if the employment of foreigners is so detrimental to the Mercantile Navy, shipowners employ them? It is not because they can get no other men. The reason why they are employed is that foreigners work cheap, and that shows the difficulty with which the Royal Commission would have to deal. If I were suspicious, I should say that the idea in the minds of some is that the mercantile seaman is to have a retainer from the State to enable him to work so much cheaper, and thereby compete with the foreign sailor. The hon. Member for Liverpool has not put the matter in this way; but the broad view taken in evidence I have received is, that the Navigation Laws have ruined the Mercantile Marine, and that steps ought to be taken to reverse our policy in that respect. With respect to apprentices the proposal is to compel the shipowner to carry a certain number of boys in order that there might always be a certain number of seamen to fall back upon; and in the abstract there is a great deal to be said for such a proposal; but, if it would be for the advantage of the shipowners, why do they not take measures which are within their power in order to attain the object? One of the main schemes put forward is that there are to be training ships in which boys are to be trained under the authority of the Admiralty; that they are then to go, for a couple of years, on board a man-of-war; and that they are afterwards to enter the Mercantile Marine, with a retainer which should secure the State their services if it required them. That is a scheme which would be exceedingly agreeable to shipowners, and I do not mean to say it is not a matter worthy of being considered; but I have heard from the superintendents of training ships that they cannot place these boys out because the shipowners prefer taking premium boys, for whom they are paid, and many of whom do not remain in the service. With regard to the employment of foreigners, I do not think that the shipowners are doing as much as they might for supplying the merchant service with British seamen. The hon. and gallant Baronet opposite (Sir James Elphinstone) spoke not only of creating seamen, but thought that schools should be established. These are all important questions, and they must be dealt with and considered. I wish to put it to the House how far it thinks that a Commission is the best form of dealing with these questions. When the hon. Member for Liverpool some time ago moved for a Commission—

> "To inquire into the present condition of the Seamen of the Mercantile Marine, with the view of ascertaining whether, within the last 20 years, the supply of British Seamen has or has not fallen off either in point of numbers or of efficiency; and, if in either a continuous decline should be apparent, then to ascertain further what are the causes which have led to such decline, and whether any remedy can be suggested,"

the President of the Board of Trade in the late Government (Sir Stafford Northcote) observed that—

> "Though a Royal Commission might be excellent for the purpose of collecting information, it by no means follows that it is the best body for suggesting remedies because it is not responsible for the legislation which would be required to give effect to its own recommendations. A Royal Commission consists of a certain number of gentlemen cognizant of the subject matter to be inquired into, but with no knowledge usually of the feelings and temper of Parliament, and fettered by no consideration of expense. They make inquiries, which are very valuable no doubt, occupying a considerable length of time, and they then present a Report, which in all probability contains recommendations which are more or less at variance with the feelings of Parliament."—[3 *Hansard,* clxxxiv. 968.]

I would be the last man to dogmatize on any of the questions raised by the hon. Member for Liverpool; but, though the Government do not assent to the appointment of a Commission, the hon. Member may rest assured that those important questions will not be dealt with departmentally only, but that the Government will use all the machinery at their disposal in order throughly to investigate the matter and to act on the information collected. The Admiralty are not satisfied with the condition of the Reserves at the present moment, and do not think themselves bound to continue all the restrictions and regulations which have been adopted; but they feel that the subject should be approached in a large spirit. It will be matter for consideration whether the Reserves can be increased in the manner indicated by the hon. and gallant Admiral—namely, by passing the men into the Reserves when they have gone through a course in the Navy. The system of giving a pension and a retainer at the end of 10 years instead of 20, has been abandoned some time ago; but that is a point which should be considered, for a man entering the Navy at 18 years of age, and going out of the service at 28 years of age, after 10 years' service, is still fit for any duty, and if he then enters the merchant service, and remains connected with the Navy by means of a retaining fee, that will be an excellent arrangement. It may be considered whether 10 years is not too long a period of service; but I should not like to undertake the responsibility of touching the present system without very careful consideration, for, in the endeavour to increase the Reserve, due caution must be observed in order to avoid decreasing the actual active force. I repeat that these questions are under consideration; but as I have been only two months in my present office, I am sure the House will not consider that I acted rightly if I were to say that I had as yet prepared a plan to lay before Parliament, and it will be a wise course on the part of the hon. Member for Liverpool to leave the Government a little more time to mature a scheme which they will be prepared to submit on their own responsibility to Parliament, rather than to hang up the matter by means of a Royal Commission; for the recommendations of Royal Commissions are not always followed. A Royal Commission is a most valuable instrument to deal with an intricate subject which few men understand; but with respect to the matter now under discussion, there are many Members in this House—shipowners and gallant Admirals—quite as competent to pronounce an opinion on it as any members of a Royal Commission. I would suggest, therefore, that the hon. Member for Liverpool should be content with the discussion which has arisen, and should not press his Motion to a division, being assured that the Government will attempt to deal with this matter, and will endeavour, on their own responsibility, to submit to Parliament a proposal in reference to it in the course of next Session. If the Government scheme shall be deemed inadequate, or if it shall be thought desirable to collect more information, it will then be in the power of the hon. Member to renew his Motion for a Commission.

Mr. CORRY said, the right hon. Gentleman appeared to him to misapprehend the Motion of his hon. Friend the Member for Liverpool (Mr. Graves), which did not contemplate the necessities of a peace establishment, but the exigencies of a war. He believed that there was great misapprehension as to what we should require in the event of a great emergency. People had come very much to consider our Navy merely as an instrument of home defence, and as a means of resisting an invasion; but in every great war during the last 100 years, by far the greatest portion of our Navy, and even of the largest ships, had been required to protect our Colonies and our commerce in distant seas. It was difficult to say what number of ships we should require in the event of a great war; but it would undoubtedly be very much more than we at present possessed. Speaking in a general way, we had no ships which would be efficient for the protection of our commerce in the event of a great war. He purposed dealing with this matter when an opportunity offered for bringing forward the Motion of which he had given Notice. The greater part of our cruisers consisted of old ships of eight or nine knots, whilst what would be required were ships of 14 and up to 16 knots, such as ships of the *Inconstant* and *Volage* classes. We should commit a great mistake if we were to conclude that in the event of a great war we should not require as many ships as in former times; and the object of his hon. Friend's Motion was to organize the most effective possible Reserve to man these ships, as well as the gunboats we should require for coast defence. There were some evils connected with our system of Reserves, because the retainer paid to the men of the Royal Naval Reserve was an effectual check on their volunteering for the Navy, and the greater comforts, and the habits of discipline in the Royal Navy, disinclined the continuous service men from entering the merchant Navy when their period of service had expired. This was unfortunate, as he thought a greater interchange of men between the two services was to be desired. On the other hand, however, great advantage resulted from the continuous service system. He remembered the time when a line-of-battle ship sometimes had to wait six months before she could get her men, whilst under the present system the men could be supplied in 24 hours. He saw great difficulty in destroying the present arrangements, though he did not think that those arrangements were perfect. He could not concur in the suggestion that a short service system for the Navy would work well. If they entered men for only three or four years, and at the end of that time the men entered the merchant service, there would be this evil—that the Navy would be manned by very young men. [Vice-Admiral ERSKINE observed that he had deprecated such a system.] He was sorry he had misunderstood his hon. and gallant Friend; but he imagined he had wished to introduce something like the Army short-service system into the Navy. Even under the present system some persons had been very much struck with the youth of the men of the ships companies, and very young men really had not strength to handle the sails of the enormous ships of the present day. In conclusion, he would only say that the First Lord having said that he intended to turn his attention to the subject, he would suggest to his hon. Friend the Member for Liverpool that he should be content with this assurance, and not divide the House.

MR. LIDDELL said, he hoped there would be no division. He did not, however, think that the speech of the First Lord was altogether satisfactory, or that it would allay the curiosity felt by the country as to what the policy of the Government would be in reference to the Naval Reserves. It seemed to him that the right hon. Gentleman did not look sufficiently far ahead; and he had not laid before them any scheme which was calculated to meet an emergency. The Government, however, said they were prepared to give this great question their consideration before another Session, and then to present them with fresh legislation upon the subject. It happened, however, that though very good laws had been passed for the creation of Reserves, yet they had become of no use, because the Departments framed bad regulations for carrying them out. It seemed to him that there was a perversity both in the naval and military Departments in framing regulations so as to defeat the purposes of the law. They had, however, heard that some of their frivolous regulations were going to be abandoned, and he hoped that there would be no more of them, and that the Departments in carrying out the law would regard the feelings and habits of the men with whom they had to deal, and not even disregard their prejudices. He was very sorry to hear an hon. Friend near him speak with contempt of the school ships, and say that he hoped that "street Arabs" would never be brought into the Navy, or that the Navy should be made a sink and a cesspool for the receipt of bad boys. In his (Mr. Liddell's) opinion there was no institution more worthy of the country than these school ships, and he hoped that they would be maintained. He hoped that they might engraft upon the wise and humane policy of these institutions this—that the naval profession might be held out as a reward to children of honest but poor parents, and that they would in consequence of good conduct enter the merchant service, and through that the Royal Navy. He hoped that the policy of bringing the two services into closer connection would form part of the Government scheme, because such a plan would provide them with efficient Reserves.

MR. GRAVES, in reply, observed that he should much regret that a Royal Commission should be forced upon the Government against their will. It was absolutely essential that the inquiry, if instituted, should be stamped with the most cordial approval of the Admiralty. The First Lord of the Admiralty had met the matter so fairly that it would be unreasonable in him to refuse to accede to the right hon. Gentleman's wishes, and therefore he accepted a proposal which would throw on the Government the entire responsibility of dealing with the whole question, and which would oblige the Executive to prepare a scheme for the consideration of this House. He placed the fullest confidence in the pledges of the First Lord; but, if necessary, he would renew the subject next Session.

Motion, by leave, *withdrawn.*

CURRENCY LAWS.—RESOLUTION.

Mr. DELAHUNTY rose to move Resolutions to the effect that the Currency Laws of the whole United Kingdom should be uniform when—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 7th June, 1871.

MINUTES.]—New Writ Issued — *For* Westmeath, *v.* William Pollard-Urquhart, esquire, deceased.

Select Committee — East India Finance, Sir Stafford Northcote *added.*

Public Bills—*Ordered—First Reading*—Registration of Births * [180].

Second Reading—Drainage and Improvement of Lands (Ireland) Supplemental * [173].

Select Committee—Benefices Resignation * [174], Mr. Gladstone *discharged,* Mr. William Henry Gladstone *added.*

Committee—Burials * [7]—r.p.

Report — Courts of Justice (Additional Site) * [133-179].

Third Reading — Gas and Water Provisional Orders Confirmation * [128]; Norwich Voters Disfranchisement * [155]; Poor Law (Provisional Orders Confirmation) * [148], and *passed.*

Withdrawn—Public Prosecutors * [35].

BURIALS BILL—[Bill 7.]

(*Mr. Osborne Morgan, Mr. Hadfield, Mr. M'Arthur.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. CAWLEY rose to move—"That this House will, upon this day month, resolve itself into the said Committee." The hon. Gentleman expressed his belief that the Bill, instead of promoting harmony, would inevitably produce increased acrimony and ill-feeling amongst the different religious denominations in this country. He would admit that there was a grievance, though not to the extent that was represented; and he was prepared to do that which he believed to be right with a view to the removal of that grievance. But this Bill went much further than dealing with anything like a real grievance. The so-called grievance which the Bill sought to remedy was one resting on what the Dissenters called the denial of the right, on their part, to perform any religious service whatever within the parochial churchyards. He held that the recognition of such a principle was utterly inconsistent with the existence of an Established Church in this country. If it were true that every parishioner had a right of interment in the parish churchyards, and that the relatives of a deceased person had a right to have their own religious service performed in the churchyard, then the claim would not stop there, but the Dissenters would assert a right to have religious services in the churches themselves. The principle involved in this Bill could not be limited to churchyards. [Mr. Hadfield: Hear, hear!] The hon. Member for Sheffield cheered that remark; but he (Mr. Cawley) did not believe that the opening of the churches to all denominations for religious services would tend to promote Christianity or good feeling amongst classes in this country. He ventured to think that the proper remedy for the grievance complained of was to carry forward the legislation of the last 20 years, and increase the number of public cemeteries. The Bill would not be general in its application. The hon. and learned Gentleman the Member for Denbighshire (Mr. Osborne Morgan) did not seek to extend it to every parish churchyard in the kingdom—and why? Because in a large number of parishes provision had been made for cemeteries, which obviated the necessity of the remedy which the hon. and learned Gentleman now suggested. In those cemeteries portions were appropriated to the burial of the bodies of those who differed from the Church of England. These cemeteries now amounted to 541, and nearly all the principal places in the country had one or more. The number of Petitions which had been presented in favour of the Bill was only nine, containing 503 signatures, while the number presented against it was 237, containing 7,934 signatures; and there were 17 others praying for alterations in the law, but against this Bill. If the House was to be guided in any way by public opinion, surely it must come to the conclusion that there was no strong feeling in favour of the Bill on the part of the Dissenters throughout the kingdom. ["Oh, oh!"] He repeated that there was no general feeling in its favour. He suggested that this Bill—which proposed to give any person the right to perform services in the parish churchyard—should be postponed until the question of extending the establishment of cemeteries could be thoroughly discussed. The extension of that system, as proposed by the Burials Act Amendment Bill, which stood for its second reading that day, would largely diminish, if it did not absolutely remove, the grievance on which the hon. Mover of the present Bill rested his case; and, by giving Notice of his intention to oppose the second reading of the Burials Act Amendment Bill, the hon. and learned Gentleman (Mr. Osborne Morgan), in effect, said—"Don't limit the area over which the grievance of the Dissenters extends, because if you do you will cut away the ground from under me." For himself, he was prepared to go further in the direction of the establishment of Burial Boards than the Burials Act Amendment Bill went, and to support in a great majority of cases the compulsory establishment of those Boards. Again, as church rates had been abolished, and there no longer existed a legal fund for the maintenance of parochial churchyards, he thought it was unfair that Nonconformists, after having been relieved of that legal obligation, should now claim the right, not only of interment within the parish churchyards, but of performing any funeral service they pleased there. With the views he had thus expressed, he should move that the Speaker leave the Chair that day month; and he proposed that period, instead of six months, out of respect to the House, which had granted a second reading of the Bill, and also to allow of the discussion of the measure that he had himself introduced.

Mr. BERESFORD HOPE seconded the Amendment.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day month, resolve itself into the said Committee,"—(*Mr. Cawley*,)—instead thereof.

Mr. RICHARD said, that having addressed the House on the second reading of the Bill, he did not now propose to go over the same ground again; but the accuracy of some of his statements having been questioned, he had communicated on the subject with leading members of the various Dissenting Bodies in the Principality, and the information he had thus obtained showed that, although the figures he had given were not strictly correct, yet his general statement that a large number—in fact, an overwhelming majority—of the Dissenting chapels in Wales were not provided with graveyards was perfectly true. The following statistics represented the real state of the case:—In Carnarvonshire, the Calvinistic Methodists, the Independents, and the Baptists had 240 chapels; of these 35 had graveyards, and 205 had none. In Anglesea, the same three bodies had 147 chapels; of these 25 had graveyards, and 122 had none. In Merionethshire, the three Denominations had 173 chapels; of these 46 had graveyards, and 127 had none. In Flintshire, the Calvinistic Methodists and Independents had 113 chapels; of these 13 had graveyards, and 100 none. In Denbighshire, the Calvinistic Methodists and Independents had 133 chapels; of these 27 had graveyards, and 106 had none. In Montgomeryshire, the same two bodies had 155 chapels; of these 27 had graveyards, and 128 had none. The Wesleyan Methodists had in North Wales 210 Welsh chapels; of these 3 had graveyards, and 207 had none. In South Wales, the proportion of those which had graveyards was considerably larger; for instance, in Glamorganshire, there were 332 chapels, of which 162 were without graveyards; but still the majority were without, and for that reason, therefore, the Bill of his hon. and learned Friend the Member for Denbighshire would be a great boon to the Nonconformists of his native Principality.

Mr. BERESFORD HOPE: In supporting the present Motion, I must point out that it is not one to reject the Bill altogether, but merely to defer it for a short time; in order, in the meantime, to advance the Bill of the hon. Member for Salford (Mr. Cawley), which proposes to treat the main grievance, so far as it is a grievance, in a different manner. My wish is to see that Bill read the second time, in order that it may, together with the present Bill, be sent to a Committee upstairs, with a view of seeing whether it be not possible out of the two to frame some measure which—if we could hope for so Paradisaical result—might become law before the end of a Session which is, as we are told, to last without limit of time. By such an arrangement an opportunity would be afforded for considering what points may fairly and reasonably be conceded on both sides. Something has been said about the comparative number of Petitions both ways; but the fact is, that the number which have been laid on the Table on either side are really insignificant, and cannot be quoted as any true gauge of public opinion on the subject. Stripped of its accessories, the question has narrowed itself to this issue—Shall we or shall we not admit in that certain number of parishes, where other provision does not exist in the shape of cemeteries or parish burial grounds, a burial service in the churchyard different from the burial service of the Church of England, for the use of that portion of the non-Church world who desire a service at the grave itself? From this category must be excluded both the Presbyterians of Scotland who deposit the remains in silence, and the Roman Catholics who perform their service over the body in the Church itself—and so the residuary grievance, as I need hardly show, is still further diminished. Now, the time has come when Churchmen would be fighting under false colours and crying peace where there is no peace, if they do not state in clear and positive —yet, I hope, not offensive—language, that, while they are very anxious for a settlement of the question on the most liberal footing, yet they must make a stand on this matter, and declare that the one point of different burial services in the churchyard is a claim which they can never concede, but which they are prepared to oppose in every possible way. The forces which we see in action —the so-called spirit of the age—may be apparently against us, and we may ultimately be beaten; this will be the fortune of war, but we cannot condescend to purchase a precarious peace at the sacrifice of principle. Still I do not think so unfavourably of the future. I do not only believe that our course is right, but I anticipate that we shall ensure the justice of our claims being felt. The Established Church—that Church which, until that religious census is granted which the Dissenters have so pertinaciously refused us, and in refusing it confessed their own fears as to the revelations which must ensue of those inflated numbers on which they have been living since 1851, I will say is the Church of the decided majority of the people of England—is willing to make any concession in the most generous and conciliatory spirit to our Dissenting brethren, except that of alien services performed in our churchyards. Will any Churchman get up and tell the House that a clergyman of the Church of England has the right to obtrude into a Dissenting churchyard and to perform the burial service of the Church there, thus throwing down the apple of discord and outraging good feeling and good sense? Well, as Churchmen will not violate Dissenting graveyards by services repugnant to the feelings of Dissenters, they claim to reserve their own churchyards for those services only which they can themselves accept. Why do not our opponents regard the controversy in that light? The reason is, because they hold that the Church, being established, should be made to pay smart money in some form or other for the privilege of being established. I do not want anybody to contradict me on this self-evident proposition. You all know that I am stating the truth. I do not blame the opponents of the Church for taking up that position; it is a very good one for the hustings or the stump; but we have not yet reached the state of things in which Churchmen can be put in the dilemma into which the junior Member for Bradford (Mr. Miall) and all those who work upon his lines would fain drive them—namely, that they shall either forego their position as an Established Church, or shall retain it only on condition of accepting the intolerable burdens which the liberationists try to lay on their shoulders in virtue of her establishment. If the Church of England were not so deeply rooted in the traditionary affections of the people as she shows herself to be; if she were a bigoted and intolerant body, and stood on the same lines of defence as in the days when George III. was King, our opponents might have some right on their side. But everybody must acknowledge that the character of the Church in relation to its spiritual functions has undergone a most remarkable and very salutary change since a former generation, and that it now relies much less on its State privileges and much more on its spiritual and moral claims to the respect of the whole people. By its revived energy and zeal it had regained its hold of the hearts of a vast portion of the nation. The Church of England now goes forward conquering and to conquer, and why should it at this moment be asked to surrender one of the few bulwarks which it still possesses for its property, its possessions, and its legal rights? That property is now administered for the general good, those possessions are devoted to the spiritual improvement of the people, and those legal rights are not used for anyone's oppression. It is not too much to say that Roman Catholic Emancipation and the Repeal of the Test and Corporation Acts have been the salvation of the Church of England. In the Endowed Schools Bill and the Elementary Education Bill it has parted with its last claim to anything like an exclusive control over the education of the country; while in its system, its doctrine, and its administration, it admits of as wide differences of opinion as any religious body, still retaining a corporate existence and possessing a definite belief, can possibly be expected to concede. After what was done two years ago in the case of Ireland we must, as honest men and as politicians, see that the property of the Church of England in the fabric of its churches and the soil of its churchyards is unassailable, at least for a very long time to come. The Irish Church was a weak body. It did not reckon more than a sixth of the population of Ireland, and yet it was strong enough to secure the possession, under easy conditions, of its churches, its churchyards, and its glebe-houses. The Church of England is as strong as the Church of Ireland was weak. It is the Church of the majority, as the Church of Ireland was the Church of the small minority, and *à fortiori*, therefore, viewing the precedent of Ireland, the Church of England, has the right in theory and the determination in practice, to retain church, churchyard, and parsonage. The necessary corollary of this secured possession is, I contend, that the Church itself must be the judge as to the kind of service which should go on within its churches. Are we, then, to say that the property in the burial-grounds surrounding those buildings, and of which, in fact, they form, both in law and by reason and common sense, an integral part, should not only be assailed but surrendered by that Church which has so abundantly established, by the precedent of its weaker counterpart in Ireland, its own right to the continuous possession of those inclosures? It could hardly be denied that the right to the churchyard for alien services would, by an easy process, involve the right to the use of the Church itself. The rainy-day argument is an unanswerable one. A single thunderstorm will give our opponents the precedent they want; grievances will follow the hailstones on these "rainy days," and will, I doubt not, be specially prepared for production in Parliament. In fact, this argument is almost unanswerable in proof that it will be impossible to introduce alien services into the churchyards without, in a short time, introducing them into the churches. But if the latter question ever be raised it will be fought *à outrance.* The Established Church and the Dissenters follow what are almost antagonistic systems of Christian worship, and so the attempt to blend them can only result in miserable confusion. If the Dissenters are pleased to use the Church of England's graveyards they must, as we propose, do so upon the easy conditions of performing their own Burial Service over the deceased, either in their own place of worship, or in the deceased's own house. It has been argued that the Bill provides against scandals occurring in the churchyards under its provisions by requiring that the services performed should be of a religious character. I contend, however, that the argument is wholly fallacious. What can "religious" imply but that which the person directly interested himself considers, or affects to consider, to be "religious." The blasphemy of one credo is the religion of another, and there is hardly any test common to differing professions. I may therefore safely assert that the requirement offers no safeguard whatever against any fanatic or enthusiast—whether professing deism, positivism, or Southcoteism—taking advantage of the burial of one of his own faith to deliver a lecture expounding the merits of his creed. Is it just or decent that any chance minister of a Sporadic body should have the right to promulgate his wild theories in the graveyards of the Church of England? Indeed—by the fact of their suggesting the occasion—the so-called safeguards offered by the Bill will be absolutely an invitation to persons to commit acts which would give rise to the very scandals the occurrence of which it is sought to prevent. This question of the Burial Service is exciting a deep feeling among the earnest members of the Church of England. To pass this measure will be to establish a practical grievance on the part of the Church of England against the drift of the national legislation; and I need scarcely say that the Church of England, forced in self-defence to become aggressive, will be a very formidable opponent. Its capacity for making its power felt may be realized by a very simple proportionate calculation. There is not a sect which cannot, although by comparison in the minority, bring its numerical strength to bear with considerable emphasis. The capacity for public influence, therefore, of that sect which is far the largest of all, will, if once it is aroused and united, create a fresh political difficulty, which, for my own part, I advise you not to test. Hitherto the Church has been content to take a merely defensive action; but if it be forced to adopt a different course, and to take advantage of its powerful organization to hold meetings, to appoint committees, to publish pamphlets, to write letters to hon. Members, and to appeal to the country, its efforts will not be found unequal to the occasion. I urge the Dissenters to meet the members of the Church of England half way, and to accept generously the offer which has been made them. I warn them against irritating and alarming Churchmen by their obstinacy. If they do they will be the first to feel how much they have risked by daring to divide the country into two hostile religious camps.

Mr. OSBORNE MORGAN said, in answer to the appeal of the hon. and learned Gentleman the Member for Salford (Mr. Cawley) for further discussion, that there never had been a subject so thrashed out as the measure before the House. It had been read a second time last year by a majority of 110; it had been before a Committee upstairs for two months; it had then come before the House again, and had been affirmed by majorities almost as decisive. If such a measure was to be the subject of a division and a long discursive debate such as that in every one of its stages, there would be an absolute end to all legislation whatever, for the real majority of the House would virtually be the minority. The hon. Gentleman had dwelt on the small number of Petitions presented in favour of the Bill; but he should remember that in a former year there were no less than 860 Petitions presented in favour of a similar measure promoted by the senior Member for Sheffield (Mr. Hadfield), signed by 99,877 persons, while last year there were no less than 5,000 Petitions in its favour. But persons could not go on petitioning for ever in favour of a Bill, though it seemed they could go on talking for ever against it. He trusted that the House would, without wasting more valuable time, go at once into Committee on the Bill. In answer to another objection, he might state that the Bill of last year contained a provision for the repair of churchyards, and that it was struck out on the suggestion of hon. Members opposite.

Mr. COLLINS, while accepting to its fullest extent the argument of the hon. Member for Cambridge University (Mr. B. Hope), agreed with the last speaker that it would be better to go into Committee upon the Bill at once, in order that the Amendments proposed by the hon. Members for Chester and Leicestershire might be inserted in it. They had discussed the question over and over again. The Conservatives had had their divisions upon it; they were beaten last year and the year before; and he thought that they should reserve their opposition for the third reading. The policy of obstinate resistance was not always the wisest policy. Hon. Members had to fight the battles of their constituents; but with the knowledge which they possessed after hearing discussions all round—a knowledge more extensive than that which their constituents could possess. He suggested that where an alternative burial-ground existed, the Nonconformists should not have access to the churchyards; and he thought that in the country, where land was not of great value, little difficulty would be found in providing such alternative places of sepulture. The wisest course for the Church of England to adopt was to meet the attacks upon her, not by strenuous opposition, but by conciliation and by addressing herself to the good sense and feeling of her opponents.

MR. GATHORNE HARDY said, it had not been his intention to say anything this year on the subject, as last year he spoke on the second reading of this Bill; but the hon. Member for Merthyr (Mr. Richard) had called attention to what he said last year, and he (Mr. G. Hardy) thought had overstated it. All he then said was that Dissenters had built for themselves chapels which, in many instances, had graveyards; and when it was remembered that many of those chapels were in towns where there could be no graveyards, and that many of the chapels were rooms, it seemed to him that a large provision had been made for interments. He had been much struck by the figures which had been quoted by the hon. Member, which showed that there were no less than 700 graveyards belonging to Nonconformists in North and South Wales; a statement which he had heard with agreeable surprise, as he had no idea that the Dissenters had anything like that number in that district. The hon. Member for Boston had contended that those who opposed this Bill were precluded from offering further opposition to it, inasmuch as the House had already declared its opinion in favour of it. That was a strange doctrine; but all he could say was, that he wished that the hon. Member for Bradford (Mr. Miall) would act upon that principle, and, after having been defeated on a recent occasion, would give the Church of England some few years rest. But if they were not to act on the sense of the House on an aggressive Motion, why were they to be debarred from taking a defensive position? Because beaten on the second reading, were they to be deprived of their opposition to going into Committee? The present issue was, he admitted, a very minor one; and the reason he was now speaking on the Motion for going into Committee was that he objected to that particular part of the Bill which had been objected to by his hon. Friend the Member for the University of Cambridge. What was the position occupied by the Church of England? It was said that she was a national Church, and no doubt she was in the sense that she offered her services and her religious instruction to all who chose to avail themselves of those advantages; but surely the Dissenters, who had chosen to withdraw themselves from communion with her, could not look upon her in the light of the national Church? If the Dissenters chose to conform to the services of the Church of England, they might have the use of her churches and of her graveyards, but they had declined to do so. Yet they now asked for power to do that which the Church herself had no power to do—namely, to alter her form of service, which had been settled by Convocation and by Act of Parliament. Why should Dissenters be at liberty to do that in a churchyard which it would be "brawling" for a Churchman to do? It was unfair to treat the Church of England as a denomination in some cases—such, for instance, as when the Dissenters objected to pay church rates—and yet to treat her as a department of the State and as a national Church whenever it was sought, as at present, to wrench her rights from her. He paid his allegiance to the Church of England not because she was a member of the State, but because he believed in her doctrines. Supposing his churchyard were insufficient, and he at his own cost enlarged it, was it right for Dissenters to come and claim the enlargement for other denominations with which he had no connection at all? Dissenters said they would leave the Church, and no longer contribute to its support. Well, be it so; and let the Church be supported by those who belonged to it. What was the origin of the Burial Acts? The Burial Acts were passed because Dissenters objected to be driven to Church of England graveyards, and they then admitted that in those graveyards there could be no other service than that of the Church of England. Therefore they asked for cemeteries, and they had taken State endowments for the chapels of their own provided in those cemeteries. Nonconformists did not ask for burial with their services in the consecrated part of cemeteries, and he saw no reason for such a claim being made in regard to parochial churchyards. An alteration of the marriage law was demanded, because in former times Dissenters were compelled to go to the Church of England to be married; but, carrying out the principle upon which this Bill was based, they might refuse to be content with liberty to marry in their own chapels, and demand permission to be married in the churches where their fathers had married, but with the service of the denomination to which they had attached themselves. Once admit the principle, and it would be difficult to close the doors of the church or churchyard to any service, and he believed that such a measure would be detrimental to religion. The Dissenters might as well seek to celebrate their marriages in their own form in the churches of the Established Church, as to bury their dead in their own form in the graveyards of that Church. It was a strange thing that, while in this country Dissenters were so warmly opposed to the ceremonies of the Church of England, they were, when abroad, glad to attend service and even to partake of the communion in churches and chapels of that Church. In a great number of instances those who were called Nonconformists were of the class who used to be called occasional Conformists, and who had no objection to attend the services of the Church of England, and even to communicate in Church of England places of worship where they had no chapels of their own. What he wanted as a Church boundary was, not an elastic circle, which would contain everybody and retain nobody, but that each should have their own. Burial was not a question of religion, but a necessity of State, and ought to be compulsorily provided for where proper provision was not already made; but those who objected to the burial service of the Church of England should withdraw from those places where it was read. He had letters from a great number of clergymen in North Wales, declaring that this was not looked upon as a grievance there; and he was told that the eminent Dissenter, of whom they heard something two years ago, was present about a year before his death at the funeral of a Dissenter, over whom the Service of the Church of England had been read, and when he was asked if he would like to say anything he declined, on the ground that he would not mar the effect of the beautiful service they had just heard. There was not, in his opinion, such a grievance as justified Nonconformists, for the protection of their own consciences, in violating and irritating the consciences of others. He trusted that in the remarks he had made he had said nothing that was unchristian in spirit, and he expressed a fervent hope that in the course of time many of those who had left the communion of the Church of England would return to her fold. The question of burial was one more of State than of religion; but the clergymen of the Church of England would feel deeply the injustice that was done them if this measure were permitted to pass in its present shape. He did not think the provisions contained in the Bill were at all necessary or desirable.

MR. SCOURFIELD said, he did not know what were the grievances of which the Dissenters had to complain. For his part, he regarded them as speculative rather than practical, and his opinion was that in redressing one they gave the occasion for another to arise. He did not think it desirable that the responsibility should be cast on the clergyman of reading the whole or only a part of the Burial Service; and he had no doubt that the ministers of the great Dissenting Bodies would perform in the churchyards the religious services peculiar to their communion with every propriety; but then, this Bill extended the like right to all persons, no matter what they professed, provided they called themselves religious bodies. Considering that some of the names at the back of the Bill were names of those who voted for disestablishment, he could not look on the measure as a proof of a wish on their part to support the Church, and he, for one, could not give it his support.

MR. NEWDEGATE said, he believed that the hon. and learned Member for Denbighshire felt and understood the encumbrances by which they were embarrassed on that side of the House; he had, in fact, admitted his consciousness of those difficulties. He (Mr. Newdegate) himself detested intolerance in all its shapes. He detested it on that side of the House just as much as he detested it on the other side of the House. He regretted the introduction of that Bill as an attempt to foment intolerance. The Amendment now before the House was an attempt to establish an understanding between the members of the

Church of England and the Protestant Dissenters. They were earnest to meet them as far as was possible. To his mind, the definition of the right hon. Member for the University of Oxford (Mr. G. Hardy) was too narrow. He did not think the attempt to legislate for all Protestants as likely to come within an area circumscribed by the peculiar formularies of one Church possible, owing to different constitution of men's minds. He had rather deal with all, as Christians, who accept the Bible as the foundation of their faith, and recognize their differences within that area, which alone was wide enough. That had been the basis of his action for years; he saw nothing but danger in the attempts that were made to foster intolerance on either side. Some basis of action they must have on this question. He found basis for himself in the acceptance of the Bible; in a fellowship between all who would accept that basis and would endeavour to smooth the differences that must arise from the different constitutions of men's minds. That Bill seemed to foment intolerance on both sides — among the Churchmen and among the Dissenters; and therefore he opposed it, and for the same reason he supported the Amendment now moved by the hon. and learned Member for Salford (Mr. Cawley). He believed that it would afford a fair and reasonable solution of that much vexed question. It formed a basis on which they could come to some understanding. The truth was this—that which was before the House was a question of property. He had himself given property for a churchyard only about two years ago, and he desired to give more. Would it be right and reasonable that he should be deprived of the satisfaction of knowing that the property he gave would be held sacred to the purpose for which he gave it? The same thing applied to Dissenters. Doubtless, many Dissenters had contributed to the erection of chapels. What would be their feelings if those chapels were taken away and applied to other purposes? The case was as simple as was possible. The hon. Member for Merthyr Tydvil (Mr. Richard) had advanced the fact—that there were a large number of chapels without a graveyard. Was he not aware that there were often, especially in Wales, three or four chapels in one parish? And would it be reasonable that for every one of such chapels the House should appropriate a graveyard? Obviously not? But it was obviously reasonable that the House, which had abolished church rates, should take care to provide space for the burial of the dead, and that was the principle contained in the Bill of the hon. and learned Member for Salford. The principle of that Bill could not be engrafted on the Bill before the House, therefore he declined to go into Committee, since by the rules of the House the Bill could not be amended in the sense which he (Mr. Newdegate) desired. He did trust that, as time went on, they should arrive at some recognized principle with respect to this question. If they did not, those who desired to assail them all as Protestant Christians—to assail the religion of each — would succeed in introducing themselves between them by fostering an intolerant spirit towards each other, and would eventually bring them into confusion. To attempt that was a distinct policy, which had been pursued for years by the Ultramontane Roman Catholics. It appeared in the time of Charles I. The Jesuits then worked by fomenting intolerance among Protestants, by creating divisions, until at last they produced the confusion which led to the deaths of Strafford, and Laud, and Charles I. These differences tended beyond matters as between one denomination and another; but they expanded, until they destroyed the peace and good order of the State, and thus overturned the welfare of the community; and those who lent themselves to fomenting intolerance, in fact sowed the seeds of confusion hereafter, which might extend to the whole community. He would urge those few considerations on the House, and, in conclusion, he could not help adverting to this—that for 10 successive Sessions he proposed and urged a Bill for the commutation of church rates which, if passed, would have left no real grievance upon Dissenters. He was opposed by hon. Gentlemen on that side of the House of what were called high Church opinions year after year. He urged, that unless amended, the system of church rates would be abolished, and it had been abolished. He now warned his brother Churchmen that if they would not step forward, and show that they were imbued with the tolerant spirit of their own Church, and by promoting some such amendment of the law as suggested by the hon. and learned Member for Salford, although proposals for the disestablishment of the Church of England had been rejected by a large majority, that majority would dwindle, and eventually the Establishment of the Church of England would meet with the fate of church rates. And what would be the result? The Church of England, as a separate denomination, would be more than ever in danger of being imbued with that intolerant spirit which had been manifested by some of those who styled themselves members of her communion, and they would have that additional element of confusion introduced—a sectarian spirit pervading the largest body of united religionists in this country.

SIR LAWRENCE PALK said, his opposition to the Bill was not owing to any intolerant feeling against Dissenters. He had no objection to any form of burial service that Dissenters might think proper to use in churchyards, because he believed that on such occasions they would not attempt to do anything disrespectful to the Church of England. But his objection to the Bill was, that it sought to deal with property to which Dissenters were never under any circumstances entitled. A burial ground was the property of the rector of the parish. The freehold of the burial ground was vested in the rector, and the burial ground was set apart for the interment of the inhabitants of the parish who were in communion with the Church of England. The Bill would apply only to small rural parishes where there were no cemeteries; because where there were cemeteries the Bill would not enable a Dissenter to trespass on the property of the Church of England. As to small rural parishes, there was, in point of fact, no grievance on the part of a Dissenter. It might be that a Dissenter had not a right to be buried in the parochial churchyard because he had not been baptized in Church; but clergymen very rarely prohibited the burial of a Dissenter in the parochial churchyard. The grievance put forward by the hon. and learned Gentleman opposite (Mr. Osborne Morgan) was the smallest ever brought before the House of Commons. The Bill would permit the Church of Rome to bring to the churchyards in the country villages all its paraphernalia—its masses, its prayers, and its processions. He did not believe that any Dissenter would assent to that. The Bill being an attack upon the property of the Church of England, he would oppose it at every stage. He could not be accused of intolerance to Dissenters, for he had not only subscribed towards the building of their churches, but had also been the means of obtaining land for the building of their churches and chapels. If the Bill were passed in its present shape it would create a feeling of bitter antagonism in those parishes where heretofore the Dissenter and the Churchman had agreed to dwell amicably together. He thought it would create a feeling of intolerance among landlords, and that they would resent this attack upon their Church by refusing to allow Dissenters to acquire land in parishes that belonged to them. The time might come when the rights of landlords might be very much circumscribed; but, at present, many a landlord owned the whole land of a parish.

MR. HOLT, in supporting the Amendment said, he must point out that its object was not to lead to the rejection of the Bill but only to delay its progress for a month, so that it might be considered in conjunction with the Bill of the hon. and learned Member for Salford on the same subject. No doubt a grievance did exist which needed remedying; but he believed that this Bill would interfere very much with the peace of country parishes, disturb their quiet and rest, and prove a serious burden upon the ratepayers.

MR. RUSSELL GURNEY said, he thought the existence of this grievance to Dissenters was most injurious to the Church of England, and that Churchmen were the parties most interested in the removal of this grievance, for he knew of nothing which tended more to create bad feeling in districts throughout the country than the refusal of clergymen to read the Burial Service over persons who had not been baptized. The Bill proposed to remove that grievance, and, therefore, he could not vote for the rejection of the Bill. At the same time, the Bill required amendment, and unless it were amended he could not support it on the third reading.

MR. CORRANCE said, it was only for a few moments he would claim the indulgence of the House; but, representing a large constituency, among whom the members of the Church of England formed the most considerable part, he should not do justice either to himself or them, if he did not express their almost unanimous conclusion against the provisions of this Act. From the Bishop of the diocese to the humblest layman, this feeling had been called forth. It was true he did so with regret; but that regret was that such a Bill had been introduced. The hon. and learned Member for Denbigh (Mr. Osborne Morgan) had spoken of the number of Petitions sent up, and the national feeling there expressed. Now, holding these Petitions for what they were worth, he drew no such conclusion as that, nor could any just inference be drawn from them except the numerical strength of sects; for by far the larger part of those who signed, the grievance was not even felt. It was said, indeed, that the grievance was a matter of feeling; and, as he did not think that it had a reasonable base, perhaps this was its strongest case. But he must ask, was this sentiment just, for that alone could give it weight? On the other hand, the objections to the Bill were practical enough. Look at the 1st clause for admitting burials without religious services, was that in conformity with the feelings of Englishmen of any class? Then, look at the provision of Clause 5 concerning religious services: were any satisfied with that? What was a religious service? Who could define it, or who could tell what it might introduce? Lately he had fallen under the strictures of the press for his conduct in the administration of justice. In one case there had been disturbance in a place of so-called religious services, and he had advanced the fines it was his duty to inflict. It had prevented the imprisonment of some foolish young men, and he could scarcely regret that. But while he condemned their course, what had been the nature of the proceedings which called it forth? Why, they had scandalized the whole neighbourhood, and as kissing each other had formed a part of the programme, it was not to be wondered at that young men might be tempted to carry it to excess. At all events, the occasion might warn them as to what if this relaxation were made, they might possibly expect. The right hon. Member for the University of Oxford (Mr. G. Hardy) had said that, although it was true that instances occurred abroad of religious services of different communion being carried on under the same roof, in this country it could not exist. He concurred in that remark. He might regret the existence of such a feeling; but it must be recognized nevertheless. It was recognized in fact. Did they attempt in their prisons, unions, asylums, in their Army or Navy, among men of different sects. Well, then, let them, like sensible men, accept the actual necessity of the case, and reduce it to order at least. For his own part, he should rejoice to see the day when such a feeling among fellow Christians might no longer exist. He did not expect to see it in his day, least of all, if such Bills as this were to be pressed. He objected to it on this ground, and he thought that many honest Dissenters would share his regret. He should vote against this Bill as one tending to dissension and strife; and in no un-Christian feeling, he should feel fully justified in giving the hon. and learned Member for Salford his unreserved support.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 171; Noes 100: Majority 71.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (After passing of Act notice may be given to incumbent of intention that burial shall take place in churchyard without the rites of Established Church, and either with or without any other religious service).

Mr. G. B. GREGORY moved an Amendment to the 1st clause, providing that notice of a funeral should be given personally to the incumbent of a church, and not "by post or otherwise," as set out in the clause.

Mr. OSBORNE MORGAN said, he would accept the Amendment.

Amendment *agreed to*.

Mr. CAWLEY rose to move, in page 1, lines 18 and 19, the omission of the words "and either with or without any other religious service." He was perfectly ready to permit interment without the performance of the service of the Church of England; but he held that the principle of admitting anything that might be deemed a religious service in a Church of England churchyard was utterly inconsistent with a due regard for Christian observances as well as with the idea of any Church existing, whether as a sect or as established by law.

Amendment proposed, in page 1, lines 18 and 19, to leave out the words "and either with or without any other religious service."—(*Mr. Cawley.*)

Mr. OSBORNE MORGAN said, he must object to the Amendment, on the ground that, if carried, it would be fatal to the object of the Bill, which was to allow Dissenters to be buried in churchyards with their own religious ceremonies. With such an Amendment the Bill would be like the play of *Hamlet* without Hamlet.

Lord JOHN MANNERS said, if the Amendment were carried it would leave Dissenters in the same position as at present, or, in other words, the religious service might be performed either in the house of the deceased or in the place of worship of the communion to which he belonged. But the fact was, the Committee was asked to do now in part what the House of Commons had, by a large majority, the other day refused to do in the whole. Virtually, the clause as it stood would, as far as the burial grounds of the Church of England were concerned, disestablish and disendow the Church. [*Cheers.*] Hon. Gentlemen from below the gangway cheered; but, if their cheers represented the truth of the case, what was to be said of Her Majesty's Government, who were supporting a Bill which would *pro tanto* disestablish the Church of England, though the Prime Minister the other day had opposed the disestablishment of the Church? If this Bill would not *pro tanto* disestablish the Church, then it would lead to concurrent establishment. He must object to the Bill as a first instalment of the principle of disestablishment being carried out in practice. He trusted, therefore, that the House would adopt the Amendment.

Mr. HEYGATE said, he heartily supported the Amendment. His noble Friend who had last spoken had correctly stated that this question could be viewed in no other way than as an attack on the principle of an Established Church. They were constantly referred to the fact that in Ireland a law had long been in existence similar to that now proposed. But was the example of Ireland encouraging? Where were now the revenues of the Irish Church? Besides, the case of Ireland was not analogous, because in that country clergymen had not to deal with a great variety of religious denominations, but virtually with only two, the Presbyterians and the Roman Catholics, neither of whom were in the habit of having the burial service read over the grave—the Presbyterian Service being generally performed at the house of the deceased, the Roman Catholic at their own chapel. He had moved for a Return of burial grounds consecrated, unconsecrated, and mixed, but did not persist in the Motion, as Her Majesty's Government had shown that it would be attended with great expense. But if the Return had been made it would have shown that the Dissenters had a vastly greater number of opportunities for burying their dead with their own religious services, in burial places of their own, than was generally supposed. For his part, he could hear of no grievance on their part great enough to call for this Bill. He had made inquiries in his own county, and had never heard of a case, neither had he in any neighbouring counties. They must go to Wales for a grievance, and there, in a particular county, they were told that there were no opportunities of interring Dissenters with their own religious service. But even in Wales there were many more opportunities of doing so than was generally imagined. In 1861 a Bill similar to this was supported on the ground that church rates existed; but, since compulsory church rates were abolished, that reason no longer was a valid one. In the analogous case of the marriage laws, the marriage laws had been altered to meet what was considered a Dissenters' grievance, by allowing marriages before a registrar to those who objected to the service of the Church. Why did they not meet this burial grievance by a similar remedy. He opposed the Bill, because it would do a vast deal of injustice and provoke dissensions where dissensions did not now exist. Feeling strongly on the subject, he hoped the hon. and learned Gentleman who had charge of the Bill would accept the Amendment.

Sir GEORGE GREY said, he regretted that the Committee should be called upon to divide on the words in question before it had been decided by whom the religious service was to be performed. As the Bill stood, it might be performed not only by a minister of any religion, but by any member of the congregation of any religious body. Now, it was, in his opinion, quite right to permit a minister of any recognized religious body to perform the service, and he had been in communication with a clergyman of the Church of England, whose objections to the measure would, he believed, be removed if the Bill were confined to the minister, instead of being extended to the members of any religious denomination. While, therefore, he objected to the omission of the words under discussion, he did so with the full intention of supporting an Amendment hereafter to omit the words, "or member," in the 4th clause.

Mr. OSBORNE MORGAN said, he was opposed to the omission of the words "or member," on the ground that there were some religious bodies who had no recognized minister.

Mr. STOPFORD-SACKVILLE said, he wished to know from the Secretary for the Home Department, whether he still adhered to the opinion which he had on a former occasion expressed, to the effect that the majority of the ministers of the Church of England were in favour of the Bill; and, also, that he would state his opinion on the clause generally.

Mr. BRUCE said, he considered the great object of the Bill was to promote peace between Churchmen and Dissenters. [" Hear, hear!" *and* " Oh, oh!"] He retained the opinions he expressed on the second reading of the Bill as strongly as ever, and it was unnecessary to repeat them. He considered that the performance of a religious service by a member of a Dissenting community would not be an infraction of that sanctity which they wished to attach to the burial places of their fellow-countrymen of whatever denomination they might be. He still believed that a large number of the ministers of the Church were in favour of its object; but he did not believe with the noble Lord the Member for North Leicestershire that its passing would be a step towards the disestablishment of the Church.

Sir HARRY VERNEY said, he thought it would not tend to the promotion of harmony that Roman Catholics should be allowed to go to our churchyards and perform services there. He knew of instances in which, instead of a religious ceremony having been performed in a churchyard, a funeral oration was pronounced, and that he decidedly objected to. He should vote for the Amendment.

Sir HENRY SELWIN-IBBETSON said, he should vote in favour of the Amendment, believing that it would not be in the interest of peace that funeral orations such as were heard of in a neighbouring country should be spoken of in the parish churchyard.

Mr. C. S. READ said, he would remind the Committee that in the Irish Burials Bill passed in 1868 the words "priest or minister of a denomination" were inserted. He knew many persons who would prefer even a Roman Catholic priest performing the service over a member of his flock, if there was to be one, believing that, under such circumstances, it would be performed more decently than it would be likely to be by the members of some extraordinary sects.

Mr. PEEK said, he would point to a case within his own experience in which a number of Mormonites went down Sunday after Sunday to a particular locality, and, having collected a heap of stones, performed their religious services. It was not at all agreeable to many who lived in the neighbourhood; but they got over all opposition by registering themselves as "Protestant Dissenters." Again, there was a sect known as the Peculiar People, who were so peculiar that they would not, for instance, give their children physic. Could anything be more insulting to the great body of the members of the Church of England than that so-called religious services should be performed in the parish churchyards by members of such denominations as these?

Mr. BRUCE said, he should like to know from the hon. Gentleman the Member for Mid Surrey, whether he was aware that any improper exhibition had ever occurred in those public cemeteries in which Mormons as well as the members of other religious sects had been buried?

Mr. PEEK said, he had not hesitated to state his opinions to and about

Mormons as living persons. What became of them when dead he did not nor did he particularly care to know. The right hon. Gentleman would no doubt be able to have his question answered if he would only make further inquiry for himself.

MR. HINDE PALMER said, while admitting that there was considerable weight in what had fallen from the right hon. Gentleman the Member for Morpeth, he would point out that there was an express provision in the Bill that no service but a religious service should be performed. He (Mr. H. Palmer) also objected to funeral orations, and they were prohibited by the 5th clause; but if the words as they stood were not sufficient, he should be prepared at the proper time to propose others to meet the difficulty.

MR. G. B. GREGORY said, the words of the clause had reference to no religious service.

MR. BERESFORD HOPE said, great difficulty would arise where to draw the line with regard to funeral orations. That which was really no better than one might be delivered over any man by merely introducing a few colourable words of a religious bearing at the commencement and conclusion, and then calling it a prayer. Such a discourse might be made most offensive to the religious feelings and spiritual convictions of all who heard it, and yet keep on the safe side of the law.

MR. CAWLEY said, he agreed that the Committee were working at the wrong end of the proposition, but that was the fault of the Bill as drawn. They were compelled to decide first what ought to be considered last.

SIR GEORGE GREY said, he wished to omit the words only "or member."

MR. CAWLEY: Yes. And preserve a really religious service.

SIR GEORGE GREY: I said nothing of the kind.

MR. CAWLEY said, that before the Committee entertained the question whether or not any other religious service should be performed than that of the Church of England they ought first to define what should be a religious service. He believed it to be an impossibility. He might also observe, in reply to the Home Secretary, that what was done by the Mormons in a public cemetery open to them, and when there were no persons present but members of their own body, without being liable to objection, might be intolerably offensive when done in the parish churchyards throughout the country.

MR. ILLINGWORTH said, he thought hon. Members were creating a phantom for the purpose of chasing it. Where Mormon burials had taken place in cemeteries no indecency of conduct had taken place, nor had the feelings of any religious body been outraged. There was no more ground for refusing burial in parish burial grounds than to prevent a corpse from being conveyed along a highway. No practical inconvenience could result from the Bill as it then stood. He would remind the right hon. Member for Morpeth that there were many religious bodies without regular ordained ministers, and they generally obtained the assistance of their members on occasions of burial, but they had always conducted themselves in a proper and reverent manner.

MR. J. G. TALBOT said, he would point out that when last year a similar Amendment had been proposed, providing that services in the graveyards should consist of prayers and passages from the Scriptures, a form of service which would satisfy the feelings of members of all religious denominations, the right hon. Gentleman the Secretary for the Home Department had voted against it. If the Committee wished to preserve order and decency in the churchyards they should agree to this Amendment.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 182; Noes 141: Majority 41.

MR. COWPER-TEMPLE moved the omission of the Proviso at the end of the clause (requiring the use by clergymen of the Burial Service prescribed by the Church) on the ground that it was totally unnecessary for any good purpose, and that it prevented any modification being made to suit special circumstances.

Amendment proposed, in line 22, to leave out from the word "Provided" to the end of the Clause."—(*Mr. Cowper-Temple.*)

MR. BERESFORD HOPE said, he must support the clause as it stood.

Mr. OSBORNE MORGAN said, he thought that the Proviso was not material, because, whether the words were in or out, no clergyman of the Church of England would be allowed to read any service other than that prescribed by the Church.

Mr. COLLINS said, he thought the words mere surplusage. He was, however, against giving to the clergy the opportunity of indulging in vagaries of which the laity had too much already in sermons. It was the privilege of the laity in the services of the Church to know what they were going to hear, and that was a privilege he should not like to forfeit.

Mr. BRUCE said, the Proviso was inserted at the instance of the Select Committee lest, under the general wording of the Bill, clergymen might think themselves authorized to perform some other service than that of the Church of England. He did not believe that the absence of the Proviso would give such an authority; but having voted for the Proviso in the Select Committee, he should not vote against it now.

Mr. HUNT said, he was of opinion that the words might serve a beneficial purpose, and should be retained.

Sir HENRY SELWIN-IBBETSON said, the case was covered by the Act of Uniformity, which prevented clergymen from making use of any other service than that of the Church.

Mr. STAPLETON said, he should support the Amendment, for fear that the retention of the words might have a prejudicial effect in reference to religious liberty.

Mr. HUNT observed, that it was possible that that Bill might over-ride the Act of Uniformity, and therefore that it would be prudent to retain the clause.

Mr. CAWLEY said, he had been inclined at first to think that the Proviso was mere surplusage; but after the discussion he should vote for the retention of the words, because by adopting that course no harm could be done. Further than that, it was no object of the Bill to alter the status of the clergyman of the Church of England.

Mr. T. HUGHES said, he thought that the freedom given to other ministers in respect of the service performed at the grave should be extended to the clergy, and would by-and-by propose words with that object.

Sir GEORGE GREY said, he would vote for the omission of the Proviso, not with a view to give greater latitude to the clergy, but because he regarded the words as unnecessary.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 155; Noes 141: Majority 14.

Mr. J. G. TALBOT said, that while wishing to give to Dissenters all the liberty they could reasonably claim, he thought there should be some security for the character of the religious service at the burial; and he, therefore, proposed to add the words—

> "Provided that any service, if not according to a published Ritual, shall consist only of prayer, hymns, or extracts from Holy Scripture."

He believed that those words would meet the feelings of all religious Bodies.

Amendment proposed,

> At the end of the Clause, to add the words "Provided that any service, if not according to a published Ritual, shall consist only of prayer, hymns, or extracts from Holy Scripture."—(*Mr. J. G. Talbot.*)

Sir FRANCIS GOLDSMID said, he thought the right place to insert such words was in Clause 4.

Mr. CANDLISH said, these words would be offensive to Dissenters, and thought they might safely leave something to the good sense and good feeling which were shown over the grave of a deceased relative. Even in a prayer, there might be something more than supplication; so that the Amendment really gave no such security as was intended.

Mr. MOWBRAY said, he believed that the words would be valuable; and added that they were in the first Bill introduced upon this subject by Sir Morton Peto. Notwithstanding this fact, they were now told that the words would be offensive to Dissenters.

Mr. ACLAND said, he had great confidence in the good sense of the various religious communities in such a matter as this; and was sure the Committee might trust to it. As a supporter of the Established Church, he objected to define by legislation the religious services of non-established communities.

Mr. BERESFORD HOPE said, if no man was ever interred except by sorrowing relatives, there would be some foundation for the objection to these words; but were there no such things as public and *quasi*-public funerals, or polemic funerals, when the extravagant leader of some obscure sect was buried with a view to the notoriety of his following? In passing any law it was necessary to guard against abuses, and the danger here was lest funerals should be taken advantage of for ulterior and non-religious purposes. In the Select Committee the words now proposed were only thrown out by the casting vote of the Chairman. This proposal was not an attempt on the part of Churchmen to define the religious services of other Bodies; it was an attempt by those Bodies to force themselves into the property of the Church, towards the support of which they refused to contribute anything; and if those Bodies objected to legislation for their religious services, they should cease trenching on other people's property. They might hold whatever services they pleased anywhere but in the churchyards, which were, since the abolition of compulsory church rates, emphatically the personal property of Churchmen, on whom had devolved the expense of their maintenance.

MR. BRUCE said, he had voted against these words as Chairman of the Committee, believing it was an attempt to define that which could not be defined. Prayers and hymns were incapable of a strict definition, and that might be said in the course of a prayer which would be little less objectionable than what was said in the course of an address. Then, also, the shocking scenes described by the hon. Member for Cambridge University (Mr. B. Hope), which were so much to be deprecated at funerals, occurred, if anywhere, in crowded towns where there was a public cemetery, while the cases to which this Act applied were comparatively rare, and occurred chiefly in the rural districts.

MR. OSBORNE MORGAN said, he agreed that it was no part of the duty of the Legislature to impose a ritual upon a non-established sect. The hon. Member for Cambridge University (Mr. B. Hope), in his (Mr. Osborne Morgan's) opinion, begged the question of the national character or otherwise of these churchyards; while, as for the Amendment, it either went too far, or not far enough. It prohibited a religious discourse or sermon which might be quite unobjectionable. On the other hand, prayers which it permitted might possibly be objectionable, and they had removed from the Church Service those formerly appointed for November 5 and January 31, on the ground that they were offensive.

MR. RUSSELL GURNEY said, he was sorry to find that that Amendment was opposed by hon. Members on the other side, whom he had hitherto been able to support; but he could not do so on that point. It was said they should trust to the good sense and good feeling of Nonconformists; and yet the hon. and learned Member for Denbighshire told them that most offensive matter would be introduced into prayers. [MR. OSBORNE MORGAN: I said "possibly."] He could not believe that Nonconformists would object to this Amendment, which removed the only objection he had felt to the Bill. But supposing it was resisted, many hon. Members would have misgivings as to the support they had given to the measure. Some time since three men were executed for a murder at Manchester, and immense excitement prevailed in the country in reference to the crime, and had an opportunity been given the most inflammable speeches might have been delivered at the funeral on that occasion. It was against such possibilities that this Amendment was intended to guard.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 144; Noes 146: Majority 2.

On Question? "That the Clause, as amended, stand part of the Bill,"

COLONEL BARTTELOT moved that it be rejected, stating that after such a close division he should feel bound to divide against the clause. He denied that the majority of the laity of the Church of England were, as stated by the Home Secretary, in favour of the Bill, and he objected to any service but that of the Church of England being performed in the churchyards belonging to the Church of England.

MR. HEYGATE said, he had not met with any Churchman who was not a political partizan who liked this measure; and he knew that many Nonconformists feared that it would lead to the introduction of political topics into funeral services, so as to be a scandal to religion.

Mr. GREENE said, he thought that Nonconformists generally were beginning to think many members of their own body more political than religious; and rather than run the risk of unseemly scenes, they would prefer to have the service of the Church of England read at funerals. He was of opinion that if there was more independence of feeling amongst hon. Members, measures of this kind would not receive so much support; but some of them acted like delegates, and might as well vote by telegraph. He supported the Amendment.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 149; Noes 127: Majority 22.

Committee report Progress; to sit again *To-morrow*.

PUBLIC PROSECUTORS BILL—[Bill 35.]

(*Mr. Russell Gurney, Mr. Eykyn, Mr. Vernon Harcourt.*)

COMMITTEE.

Order for Committee read.

Mr. RUSSELL GURNEY said, that having looked at the Notice Paper, he found that there was no reasonable prospect of his being able to carry the Bill during this Session, but that he would take the earliest opportunity, if the Government did not take up the subject, of introducing a similar Bill next Session. As illustrating the necessity of passing some such measure, he stated that only yesterday he was trying a case, in which he was obliged to direct an acquittal on account of some defect on the part of the prosecution, when a paper was afterwards found on the floor where the attorneys in the case had been standing, and on the paper was written—

> "This case has arrived at this point: the parties have arranged for £150; you and ——— (another person being named) must put it in the best way you can, it being a case so closely touching the line dividing debt from crime."

That sort of thing frequently occurred; but they had not generally such direct evidence as to the cause of the failure of prosecutions.

Order *discharged*; Bill *withdrawn*.

Mr. Heygate

REGISTRATION OF BIRTHS BILL.

On Motion of Dr. Lyon Playfair, Bill to amend the Law relating to the Registration of Births in England, *ordered* to be brought in by Dr. Lyon Playfair, Sir Charles Adderley, Mr. Bouverie, Mr. Sclater-Booth, Sir George Grey, and Mr. Spencer Walpole.

Bill *presented*, and read the first time. [Bill 180.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 8th June, 1871.

MINUTES.]—Public Bills—*First Reading*—Gas and Water Provisional Orders Confirmation * (162); Poor Law (Provisional Orders Confirmation)* (163); Norwich Voters Disfranchisement * (164).

Committee—Trust Funds (Investments)* (110-165).

EMPLOYMENT IN THE POST OFFICE—THE ARMY RESERVE.—QUESTION.

The Earl of LAUDERDALE asked the Under Secretary of State for War, Whether the preference in certain departments of the Post Office, which it is intended to give to men who have been in the Army Reserve, applies also to old seamen and marines. He hoped to hear that men who had served 20 years in the Navy with good characters would be made eligible for any longshore berths open to the Army.

Lord NORTHBROOK said, he had been informed by the Postmaster General that the plan for employing in the Post Office persons connected with the Army Reserve was not yet matured, and he could not, therefore, answer at present as to the extension of the preference to others. His right hon. Friend, however, was of opinion that if there were any seamen and marines holding an analogous position to those serving in the Army Reserve—not pensioners, but younger men, capable of active service—the advantage should be extended to them, and he had communicated with the Secretary to the Admiralty on the subject.

ARMY—VOLUNTEERS FOR INDIA.

MOTION FOR A RETURN.

THE EARL OF LONGFORD moved an Address for a Return of the estimate of soldiers above 20 years of age who will be required as volunteers from corps of all arms at home to complete the establishment of corps and of drafts ordered to proceed to India in the season 1871-72. He moved for the Return for the information of their Lordships, because it had lately been announced by the Under Secretary of State that it was intended to resort on a larger scale to the practice of drawing volunteers from regiments remaining at home to complete the regiments ordered to proceed to India. Now, the embarkation for service in India of soldiers under 20 had been properly condemned on medical grounds, and perhaps the course contemplated by the War Office was the only way of obtaining sufficient soldiers for India of the requisite age in time for the ensuing season; but the practice of volunteering, except in emergencies, had always been deemed objectionable, for one regiment was thereby completed at the expense of others; and the recent Orders, under which soldiers above three years' service had been invited to volunteer for the formation of a Reserve, complicated the matter. The 2,500 soldiers who had put down their names for the Reserve were still with their regiments, owing to some change of system, and he understood that the formation of the Reserve was suspended. It might, however, be renewed at any time by the Secretary of State, under his statutory powers; and if soldiers of above three years' standing were invited to join the Reserve, while men of the class next below them were invited to volunteer for India, the regiments at home would be seriously disorganized. And the inconvenience would not be limited to this year, for if the reinforcements for India must be soldiers of 20 years and upwards, and recruits could only be obtained between 17 and 18 years of age, some special means must be adopted for filling up the vacancies. That would give rise before long to a question of too much importance to be incidentally discussed now, but which would bring itself into notice before long—namely, the question of providing a special Army for India. At present, however, his only object was information as to volunteering, which was spoken of too favourably on Monday night.

Moved, That an humble Address be presented to Her Majesty for the following Return:

"Estimate of the number of soldiers above 20 years of age who will be required as volunteers from corps of all arms at home to complete the establishments of corps and of drafts ordered to proceed to India in the season 1871-72.—(*The Earl of Longford.*)

VISCOUNT HARDINGE wished, before the noble Lord's Question was answered, to ask how the short service system was to be adapted to India. Great expense would be incurred if the men sent thither only served six years—though, perhaps, that expense would be counterbalanced by the mortality among the men who stayed in India. There must either be a special term of enlistment for India, or the system of long service must be retained *pari passu* with the new system. The Government gave an assurance last year that the latter course should be pursued; and had noble Lords on his own side anticipated the issue of an Order entirely abolishing the old system, they would have strongly opposed the Bill of last Session, which seemed in effect to vest a *carte blanche* in the Secretary of State to do what he pleased in regard to enlistment.

LORD SANDHURST wished, before his noble Friend the Under Secretary of State for War answered the Questions put to him, to say a few words in amplification. He should be glad to know whether it was proposed, in the case of regiments about to embark for India in the course of the relief season of 1871-2, that all men under 20 years of age were to be left at home, and that their places were to be supplied by the transfer of men from other regiments. This was an important question, because, as had been before mentioned, in some corps a considerable proportion of the men were under one year's service. The 44th Regiment, which he believed was the first under orders to embark for India, had, on the 1st of April, no less than 450 of the rank and file in that position. Now, if those 450 men were to be left in England, and their places supplied by men from other corps, it was evident that a considerable portion of these regiments would be reduced to a state of disorganization. Now, he wished to have stated the exact intentions of the Government in that regard. He might take the opportunity of expressing his gratification at the statement made the other night by the noble Earl the Secretary of State for the Colonies; for though he objected to the system of volunteering to fill up regiments as an ordinary measure of organization, it was one that might properly be resorted to on occasions of emergency. He inferred from it that the official mind was at length convinced of the obligation which really existed, and which was pointed out by the Commission of 1866—namely, that no man should be embarked for a tropical climate who had not completed his twentieth year. That conviction tardily forced upon the War Department, was one from which they could not now depart.

LORD NORTHBROOK said, that remembering the power and vigour with which the noble and gallant Lord (Lord Sandhurst) urged on Monday night the inhumanity of sending men under 20 to India, thought there was some inconsistency in his now protesting against the measure adopted to remedy the evil, on the ground that it would, in some degree, disorganize the regiments at home. Surely the lives of the men and the efficiency of the force were of greater moment than a mere temporary disorganization. The Secretary of State had directed that as far as possible—for every individual case could not be guarded—all the men sent to India should be above 20 years of age. He admitted that, though Commissions and medical men had urged the necessity of sending men of mature age and considerable training, this had not hitherto been satisfactorily accomplished; but the noble and gallant Earl (the Earl of Longford) must know, from his official experience, the difficulty which it involved. He could assure his noble and gallant Friend (Lord Sandhurst) that the "official mind" was fully alive to the importance of the subject. Since his noble and gallant Friend's speech the other evening, he had made inquiries, but he had not been able to lay his hand upon the remonstrances made by him on the subject when Commander-in-Chief in India. The noble Viscount (Viscount Hardinge) need anticipate no difficulty from the present term of service, for five or six years was a period sufficiently long in a tropical climate. It was believed, indeed, that both economy and efficiency would be promoted by not allowing men to re-engage in India on their regiments being ordered home and by requiring them to return home, it being undesirable that they should continue in a tropical climate for long periods. The rate of mortality went on increasing every year that they remained, and diseases which at home might be cured became there serious and fatal. He denied that the assurance given last year had been violated; for in the Artillery and Engineers the old system of enlistment was still in operation, whereas in the Infantry, now that it had been got up to the mark, short enlistments were advantageous with a view of increasing the strength of the Reserve, while care would be taken to retain a sufficient number of old soldiers in the ranks. This was "the day of small things;" but a beginning had been made with respect to the means of quickly and efficiently filling up the ranks of the Army in the event of war. He admitted the disadvantages connected with men volunteering from other regiments to complete the regiments and drafts for India; but he was not aware of any other course that could have been taken under existing circumstances. It was not desirable to force the power of transferring men from one regiment to another, and it would only be exercised in the case of men unfit to proceed to India. As to the Return, it would be difficult to give the estimate moved for; but if the noble Earl would consent to amend his Motion so as to confine it to a Return to the number of men above 20 years of age, who have volunteered from corps of all arms at home to complete the establishment of corps and drafts ordered to India, he should have no objection to grant it at the end of the season.

THE DUKE OF RICHMOND said, he distinctly recollected the assurance given by the Government last year that the then existing system of recruiting would not be interfered with by the Bill; and he agreed with the noble Viscount that had the course since pursued by the War Office been foreseen the Bill would have met with a very different reception. The noble Lord the Under Secretary for War had appeared to assume that all the Indian regiments were composed of men who had six years' service before them, whereas some of the men might have already served three or four years.

What he was anxious to learn was, what would happen with men who had only three years to serve?

The Earl of LONGFORD said, he was willing to alter his Motion in the way suggested. He had the highest respect for the "official mind," having once had an "official mind" himself; but he was sorry the noble Lord did not perceive the grave inconvenience involved in what he called the temporary disorganization attendant on volunteering.

Lord SANDHURST denied that he had exposed himself to the charge of inconsistency, as alleged by his noble Friend. He had in his possession Returns—which not being before the House he was not at liberty to quote—as to enlistment in 19 regiments, which showed that there would be considerable difficulty in the execution of the measure announced by the Government. In speaking of disorganization, he had merely wished to point out how military organization and the efficiency of regiments were affected by such changes, however necessary they might be.

Lord NORTHBROOK wished to say, with reference to the charge of breach of faith, that the Government gave no pledge last Session as to the way in which they would carry out the powers given them by Parliament. What they then stated was, that the power of retaining the old system of recruiting was not taken away by the Bill; that the intention was to apply the system of six years with the colours and six years with the reserve to Infantry, but not to the Engineers and Artillery; and that a sufficient number of old soldiers would be maintained in the Infantry regiments. Men who had served a considerable part of their term before proceeding to India would be dealt with precisely as heretofore. Whether the term was six years or twelve years made no difference in this respect, for men who had more than two years to serve were now sent to India with their regiments.

Motion amended, and *agreed to*.

Ordered, That an humble Address be presented to Her Majesty for the following Return:

Number of soldiers above 20 years of age who volunteer from corps of all arms at home to complete the establishments of corps and of drafts ordered to proceed to India in the season 1871-72.—(*The Lord Silchester.*)

House adjourned at Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 8th June, 1871.

MINUTES.]—Select Committee—*Twenty-fifth Report*—Public Petitions.

Public Bills—*Ordered—First Reading*—Bills of Exchange and Holidays* [182]; Kingsholm District Boundary* [185]; Game Birds (Ireland)* [184]; Life Assurance Companies Act (1870) Amendment* [183].

Second Reading—Bankruptcy Disqualification* [168]; Leeward Islands [170]; Oyster and Mussel Fisheries Supplemental (No. 2)* [175]; Local Government Supplemental (No. 3)* [178].

Committee—Army Regulation [39]—r.p.; House of Commons (Witnesses)* [156]—r.p.

Committee — Report — Prayer Book (Tables of Lessons)* [78-181]; Corrupt Practices Act Amendment* [152]; Metropolitan Commons Supplemental (No. 2)* [163]; Pier and Harbour Orders Confirmation (No. 2)* [127]; Pier and Harbour Orders Confirmation (No. 3)* [153]; Land Drainage Supplemental* [158]; Drainage and Improvement of Lands (Ireland) Supplemental* [173]; Benefices Resignation (*re-comm.*)* [174].

Withdrawn—Petit Juries (Ireland)* [61].

ARMY—THE 84th REGIMENT.

QUESTION.

Major DICKSON asked the Secretary of State for War, If he would be good enough to inform the House of the grounds on which the officers of the 84th Regiment, who received the usual detention allowance of 5*s.* a-day upon the closing of the mess when the regiment was under orders to proceed from Jamaica to Halifax, are now called upon to refund a portion of that allowance?

Sir HENRY STORKS: Sir, by the regulations of the service, when a regimental mess is closed the officers, if unable to avail themselves of another mess, are entitled to an allowance of 5*s.* each per diem. In the case of the 84th Regiment, the mess was not closed practically, as the officers continued to use the mess-room and to draw fuel, light, rations, &c., hiring furniture from Kingston, the only expense they were put to. Under these circumstances, half the usual allowance was granted to cover the extra expense incurred in consequence of the want of their own furniture.

ARMY—THE 65th REGIMENT—RECRUITS FOR INDIAN SERVICE.—QUESTION.

Captain TALBOT asked the Secretary of State for War, Whether the 65th

Regiment was stationed at Agra in April last upon arrival from England; whether it is a fact that 400 of the men were under 20 years of age; if he can state the reasons why the rule announced by the Under Secretary of State for War did not apply to that regiment—namely, that—

> "It was now the practice to transfer from regiments ordered for service in India all men who, from youth or any other reason, were physically unfitted to serve in a tropical climate;"

and the amount of Home and Foreign service of the 65th Regiment since the year 1846?

Mr. CARDWELL: Sir, the 65th Regiment was stationed at Agra in April last on its arrival from England. The whole number of the regiment was 919 strong, and of those 579 were privates and non-commissioned officers under 20 years of age. Before the regiment sailed it was inspected by the Deputy Inspector General of the Army Medical Department, in conjunction with the Major General commanding, and the men reported to be fit for foreign service. In consequence of having received reports of the early age at which recruits have gone to India, I have now given directions intended to secure that, as far as possible, none shall go under 20 years, and as many as possible over 22 years. These directions are new. Since 1846 the regiment has been 20 years, less four months, in Australia, and five years at home. Under the new arrangements the average time of Home and Foreign service will, it is expected, be equal.

POST OFFICE—TELEGRAPH DEPARTMENT.—QUESTION.

Mr. H. A. HERBERT asked the Postmaster General, Whether the Telegraph Department have any authority or right to make short cuts over and erect poles on private property without leave; if they have no such authority, have the owners of property the right to remove the same; and what remedy is there for wilful and irreparable damage done to valuable timber?

Mr. MONSELL said, in reply, that he thought those questions were legal questions, which ought rather to be put to the Law Officers of the Crown; but he was advised that the Telegraph Department had no authority to make short cuts over and erect poles on private property without the leave of the owners. He apprehended that the owners of the property might remove the poles so erected, though their right to do it might be an extreme one. As to the remedy for wilful and irreparable damage done to valuable timber, he supposed it was exactly the same as the remedy against any private individual—namely, by an action in a Court of Law. As to the reasons which had induced his hon. Friend to ask that Question, he was sorry to say that his hon. Friend had good cause for complaint; but for the property which had been injured by the agents of the Department full compensation would, as far as possible, be given.

GUN LICENCE—THE VOLUNTEERS. QUESTION.

Mr. FLETCHER asked Mr. Chancellor of the Exchequer, Whether his attention has been called to a Letter in the newspapers, signed by the Supervisor of Inland Revenue, Durham, in reference to the liability of members of the Volunteer Force to pay the Gun Tax under certain circumstances, in which Letter it is stated,—

> "As the case named is a competition for prizes, all the competitors, whether Volunteers or not, should hold Licences to use and carry their Guns, otherwise they will be liable to forfeit the penalty of £10 imposed by the Act for carrying a Gun without a Licence;"

and if, in his opinion, this is a correct interpretation of the meaning and intention of the Gun Licences Act?

The CHANCELLOR of the EXCHEQUER: Sir, the competitors who are not Volunteers are undoubtedly bound to take out a gun licence; but those who are Volunteers are, in my opinion, not bound to take out such licence. The law exempts Volunteers using their guns, among other things, for target practice; and these competitions have always been held by the Inland Revenue Department, since the Act was passed, to come under the head of target practice. Therefore, the Volunteers ought not to be called upon to take out a gun licence. The letter referred to was written by the Supervisor at Durham without any authority, and a remonstrance has been addressed to him on the subject.

MILITARY ATTACHE AT ST. PETERSBURG.—QUESTION.

Mr. RYLANDS asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government are of opinion that it is necessary to maintain a Military Attaché at St. Petersburg, and intend in consequence to fill up the vacancy caused by the death of Colonel Blane?

Viscount ENFIELD: I have, Sir, every reason to believe that Her Majesty's Government intend filling up the post of Military *Attaché* at St. Petersburg, vacant through the death of Colonel Blane, the reasons which render it advisable to have a Military Commissioner in Paris, Berlin, and Vienna operating to an equal degree in the case of St. Petersburg.

INDIA—CIVIL SERVICE FURLOUGH.
QUESTION.

Mr. A. BASS asked the Under Secretary of State for India, Whether it is intended to make any alterations in respect to the Indian Civil Service Furlough and Sick-leave Rules of 1868; and, if so, whether he will be good enough to state what those alterations are; how they will affect civilians now in the service; and, if he will lay upon the Table of the House a Copy of the Despatch embodying the changes proposed?

Mr. GRANT DUFF: Sir, it is quite true that the Secretary of State in Council asked the Governor General some time ago, by a despatch, for his opinion as to certain changes which it seemed desirable to the Secretary of State in Council, as then advised, should be made in the Furlough Rules of 1868; but no reply has been received from the Governor General, and it is perfectly possible that the reply, when received, may modify the views expressed in that despatch. Under these circumstances, my hon. Friend will see that it would be quite impossible for me to give him the despatch at present. When the Correspondence is complete, of course it can be given if wished for.

ARMY—THE MARTELLO TOWERS.
QUESTION.

Mr. BUXTON asked the Secretary of State for War, Whether it is true that the Martello towers have been surveyed with the view of restoring them?

Sir HENRY STORKS said, in reply, that inquiry was made last year into the defences of the Eastern and South-eastern coasts by a Committee of Engineer officers, with a view of ascertaining which of the Martello Towers should be maintained and which should be abandoned. The Committee recommended the maintenance of some and the abandonment of others, and it is intended to act on their recommendations. No question of restoration has arisen.

PARLIAMENT—RECENT COUNTS-OUT.

Sir JOHN PAKINGTON: I wish to put a Question to the right hon. Gentleman the Secretary for War with regard to the Motion which stood in my name for Tuesday with reference to the Royal Cornwall Rangers Militia; and I desire at the same time to ask for the indulgence of the House for a few moments while I refer to a matter personal to myself, with reference to which I think I have some reason to complain of the conduct of certain Members of Her Majesty's Government. It will doubtless be in the recollection of the House that on Monday night I had occasion to refer to the "count-out" on the preceding Friday, and that I then asked the Secretary of State for War whether he would give me any other opportunity of bringing forward the Motion I desired to make with regard to his conduct in reference to the Royal Cornwall Rangers Militia. The right hon. Gentleman on that occasion refused to give me such an opportunity, and late on the same night the right hon. Gentleman at the head of Her Majesty's Government denied that the Government were in any way responsible for the "count-out" of which I then complained. On Tuesday evening my Motion stood in such a place on the Notice Paper that I had every reason to suppose that it would come on at an early hour; but at half-past 7 o'clock the House was counted out, and the whole of that evening was wasted. After I had called attention on Monday to the "count-out" on the previous Friday evening, a circumstance came to my knowledge with respect to that "count-out," which, after full consideration, I feel bound to bring under the notice of the House. Shortly before the House was counted out on that occasion the right hon. Gentleman the Vice President of the Committee of Council was speaking on the subject of the diseases of cattle, when a Member of the Government was observed by a friend of mine to hand a little bit of paper to him, which I am told he glanced at and shortly afterwards concluded his remarks, when the House was at once counted out. That little bit of paper the right hon. Gentleman placed upon the box before him, and left it there. Another hon. Friend of mine happened to have a friend that evening who desired to see the House. Soon after the right hon. Gentleman (Mr. Forster) had sat down an hon. Member (Mr. G. Bentinck) rose to continue the debate, and was immediately counted. Then my hon. Friend, after the House was cleared, brought his friend to see it. They walked up the opposite side, and in passing the box observed this piece of paper—["Oh, oh!"] I assure the House that I can wait with patience. On the paper are these words—"We want to count Pakington out, he comes on next." The obvious intention of this paper was to intimate to the right hon. Gentleman that if he did not conclude his speech at once there was an apprehension lest Members should come in and so prevent the House from being counted out. The House will recollect that on Monday evening the Members of the Government drew attention to the fact that many of them were in their places at the time, and asserted that they had done all in their power to prevent the "count-out." But hon. Members will see that it is impossible to doubt, after what I have just said, that it was the deliberate intention, on the part of certain Members of Her Majesty's Government, to prevent my bringing on my Motion. I have no right to say whether or not they were parties to the "count-out" on Tuesday; but all I can say is that all confidence is shaken with regard to the subject. I can easily understand that hon. Members opposite are desirous to get rid of this unfortunate fact in any way they can; but I repeat, that after the Government deliberately attempting to promote a "count-out" when I was about to bring forward a Motion impugning the right hon. Gentleman opposite the Secretary of State for War, and on an evening when there is an understanding the Government will keep the House, all confidence is shaken. Nor do I shrink from saying that the inference on my mind from the two "counts-out" is, that the right hon. Gentleman desires to avoid the discussion that I am anxious to initiate. Therefore I appeal to the right hon. Gentleman and also to the right hon. Gentleman at the head of the Government to give me an opportunity of bringing forward the grounds of complaint of two distinguished men — the Lord Lieutenant of the county of Cornwall and a gallant officer. I desire to make a statement on that subject, and I desire to hear the answer. I, for one, shall be quite ready fairly to consider that answer, and it is a matter of astonishment to me that the right hon. Gentleman, instead of availing himself of these "counts-out," should not be desirous of giving the answer which I wish to receive upon that subject. With regard to these "counts-out," I must say I think they are not creditable to the Government or to the House. Through the two last "counts-out" two evenings had been wasted. ["Order!"]

Mr. SPEAKER reminded the right hon. Baronet that there was no Motion before the House.

Sir JOHN PAKINGTON: It is my intention to conclude with a Motion. I have no desire, for one, to put an end to the power of counting out; but I think when a Motion is made for counting out the House, it should not be done by a Member who sneaks round your Chair and whispers in your ear that there are not 40 Members in the House, and then runs away like a boy that has thrown a stone at a window. When a Member desires to "count-out" the House, I think he should stand up in his place and state openly and audibly that there are not 40 Members in the House. If that course were adopted, we should not have so many interruptions of Public Business. I conclude by moving that this House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir John Pakington.*)

Mr. COLLINS said, he wished to say a few words with reference to what the right hon. Baronet called the practice of "counting out." The right hon. Baronet and himself were Members of the Committee that had been sitting upstairs on the Business of the House, when the subject of "counts" was fully considered; but the right hon. Baronet did not make any proposal to the contrary of the existing practice. There was no proposition except one from the hon. Member for Liverpool, which met with no support, that the House should, at the resumed sittings on Tuesdays and Fridays, sit from 9 to half-past 9 without a quorum. After all, what did a "count-out" mean? It meant that the business of the country should not be conducted unless there was a quorum of the House; that if there were only 25 or 30 Members within the four walls it was neither decorous, nor proper, nor useful to the country that the labours of the House should be continued. Some two centuries ago the question was raised whether 40 or 60 should be a quorum, and it was resolved that 40 should be a quorum. Surely if 40 was a proper quorum 200 years ago, when there were no railways, no telegraphs, no Scotch and Irish Members, it was most discreditable that business should be conducted when less than 40 Members were present. For his own part, he was inclined to think that the quorum ought to be fixed at 80 rather than 40. It was now 20 years since he first entered the House, and he was bound to say that he had not seen the practice of "counting out" abused. In the last instance to which the right hon. Baronet had referred, it must be remembered that the House sat till 3 o'clock on Tuesday morning, and that it was a private Members' night, and if private Members would persist in bringing forward matters that did not interest the House, or the country, or anybody in the world except themselves, it need be no matter for surprise that hon. Members did not stay to listen to them. The House was never counted out when useful measures were under discussion, but only upon idle Motions, which hon. Members were perhaps obliged to bring forward at the request of one or two influential constituents—for he did not believe that many hon. Members spoke for the sake of getting into the newspapers, except under such pressure as he had described. He confessed that it had long been his opinion that private Members should have the right of bringing forward Bills on Tuesday. That, however, was not the opinion of the Committee upstairs. But while the Tuesday and Friday evenings continued to be occupied principally with private Motions—many of them of an uninteresting character—"counts-out" would certainly take place. Nor did he consider that any blame or discredit should attach to the House in consequence. As to the complaint of the right hon. Baronet that hon. Members who moved a count did so from behind the Chair, he remembered that the hon. Member opposite (Mr. Osborne) once referred to the same practice as that of persons who "did good by stealth and blushed to find it fame;" but he confessed that he entertained no such scruples himself. On the contrary, he thought that counting out under certain circumstances was a laudable practice, and he never felt any objection to do it openly.

Mr. CARDWELL: The hon. Gentleman who has just sat down has said so much to the purpose in reference to the general question of "counting out," that in rising to answer the appeal of the right hon. Baronet (Sir John Pakington) I shall not detain the House for any length of time. He said that the inference he drew from the circumstances he narrated was, that I am extremely anxious to avoid the discussion on the Royal Cornwall Rangers Militia. Well, I can only assure the right hon. Baronet, with all sincerity, that whenever that great question shall come forward I am not entirely without hope that I shall be able to satisfy, not only my other auditors, but also himself, that the course I took was not only the proper and regular course, but that it was also the course which, if he had been in my position, he would most undoubtedly have adopted himself. I beg, therefore, wholly to deny his inference that I have the smallest objection to answer this question whenever the proper opportunity occurs; but as he has drawn his inference, I will draw mine, and my inference is that as the subject has been twice discussed in the other House of Parliament, and twice reports have gone forth to the public, if it had excited much interest either in Parliament or in the country, or if it were in any degree a formidable question, the right hon. Gentleman could not have failed in finding an opportunity hitherto to bring it forward. I make this observation with the more confidence, because I am told that on Friday night, when the House was counted out, there were 26 Members present, of whom nine sat on the Treasury bench, and only three in all on the opposite side of the House—the right hon. Gentleman being, of course, one of the three. Then, with regard to this little bit of paper, of which the right hon. Baronet has spoken, I beg to disclaim all responsibility for it. In the first place, I did not write it; in the second, I did not find it; and in the third place, if I had found a note written by one gentleman to another I should disclaim all the responsibility of making any use of it. But I have made it my business to ascertain what actually took place, and I have communicated with my hon. Friend the Member for Shaftesbury (Mr. Glyn). There were three counts altogether, in each of which I was myself present. On the first occasion there were more than 40 Members present, and the House continued; on the second occasion it was with the utmost difficulty that the exact number of 40, including the Speaker, was maintained to give my right hon. Friend the Vice President of the Council an opportunity of replying to statements which had been made in the course of the debate. My hon. Friend assures me that it would have been hopeless to attempt to keep the House afterwards, and he admits that he made no further attempt to do so, though he had nothing to do with the count which took place at a quarter before 11 o'clock. I may observe that the right hon. Baronet's Motion was not the next in Order. The next was a Motion that stood in the name of the hon. Member for Caithness (Sir Tollemache Sinclair). I do not know who actually moved that the House be counted; but the hon. Member for West Norfolk (Mr. G. Bentinck) had just directed attention in the course of his speech to the paucity of Members present, and it was, I presume, upon that hint that the hon. Gentleman who moved a "count" took the opportunity of moving that the House be counted. I have given an account, so far as I know, of the whole of these proceedings. And now, to turn for a moment to the question of the Royal Cornwall Rangers Militia, I beg to repeat that, whenever a suitable opportunity offers, I shall be happy to give such an explanation as, knowing his candour, will, I hope, be satisfactory even to the right hon. Baronet himself.

Mr. O'REILLY said, there was one point which he thought it worth the while of the House to consider, and that was how far it was consonant with the honour of the House and the course usually pursued among hon. Gentlemen, that when a gentleman found a paper not intended for himself he should hand it to a third party to make use of. Every day it happened in that House and the lobbies that Members left papers, open letters, and notes about; and why was it that there was never any idea of concealing them? It was because they knew they were among Gentlemen who would scorn to make use of such means of information, and who, if their eye did chance to fall on anything that was written, would act as though they had never seen it. He very much regretted that the right hon. Baronet (Sir John Pakington), whose sense of honour he was happy to acknowledge, should have accepted the communication from the Gentleman who had given it to him. There was one omission in the right hon. Baronet's speech which it would be well to supply, and that was the name of the Member of the House who took up the piece of paper and handed to the right hon. Gentleman to be made public.

Mr. NEWDEGATE said, the hon. and gallant Member (Mr. O'Reilly) seemed to have constituted himself the guardian of private communications between Members of the House. It was obvious private communications should not be left about the House for the waste-paper basket, and that was evidently the destination of the paper found. It had appeared that morning that imputations had been cast on private Members, on account of these "counts-out," while it was clear that on Tuesday the Government were cognizant, if not parties to, the intention to count. The hon. Member for Boston (Mr. Collins) had appealed to his conduct during the 20 years he had sat in the House. He (Mr. Newdegate) could remember several occasions when that hon. Member had relieved the House from its labours against its will. He, and several independent Members, had recently and on the present occasion felt that. The hon. Member had passed a somewhat impertinent censure — ["Order!"]

Mr. SPEAKER: The hon. Member will, I am sure, recognize that it is quite out of Order to characterize as "impertinent" the conduct of a Member of this House.

Mr. NEWDEGATE said, as the word "impertinent" applied to the hon. Member for Boston's conduct seemed to be extra-Parliamentary, he begged to substitute the word "officious." He must say that on several occasions that hon. Member's conduct was wanting in respect for other Members of that House and for the House itself. He thought it was very fortunate that by this accident of the paper the origin of the last "count-out" had been discovered. He had been very anxious that the House should not meet on Tuesday morning, for reasons which he would not repeat; but after the House had come to that decision it was somewhat superabundant on the part of the hon. Member for Boston to have been the means of preventing the business from proceeding.

Mr. COLLINS: I beg to say I did no such thing. I was at Oxford that night.

Mr. NEWDEGATE said, that at all events the hon. Member had risen to justify the conduct of the person who caused the "count-out," conduct of which the House had very great reason to complain. He had felt for some time, and he knew it to be the feeling of other hon. Members, that under the guidance of Her Majesty's Government the energies of the House had been unduly exhausted; he was, therefore, strongly of opinion that the House would do well now to undertake the revision of its Standing Orders, so as to assure itself and the country that the Business of the House was really in the hands of the House itself.

Mr. DISRAELI: There seems some misapprehension on both sides of the House as to the publication of private documents. I do not think hon. Gentlemen opposite have any right to claim any superiority on this subject. I know a case—a remarkable case—with which my right hon. Friend (Sir John Pakington) was intimately connected, in which, if I can trust my memory, a letter was found addressed to a right hon. Gentleman opposite upon a subject of great interest, at a moment of much excitement, the contents of which might have been very disagreeable to the Government, and under the advice of my right hon. Friend the letter was placed under cover and forwarded to the right hon. Gentleman to whom it was addressed. I am sure my right hon. Friend would, under similar circumstances, always act in a similar manner. But certainly it is not my impression, or that of those intimately acquainted with the particulars in the present instance, that the document which has been referred to this evening was of a private nature, or partook at all of the character of a letter. It had never been sealed; it was never in an "enclosure;" and had never been signed. It was found on the Table, and threw light on a course of proceeding which the majority of this House does not approve—namely, those frequent "counts-out"—especially on nights when the Government, as it was understood, was bound to keep a House. ["No, no!"] I think there should be some general expression of feeling in the House on the subject—that there should be no doubt that any difference of opinion exists on either side as to the propriety, when any Member finds a private letter, although it may touch on subjects of public importance—that there should be no doubt as to the course which my right hon. Friend would take and which other Gentlemen would adopt—namely, to forward that letter to the person to whom it belonged. But I protest against this paper being placed in the category of private and confidential communications. It was not a private communication; it was not sealed; it was not signed. It imparted information which suggested, as it explained, a course injurious to the public interests. I think, therefore, that my right hon. Friend and the Member who gave him the information ought not to be censured for what they have done.

Mr. GLADSTONE: It appears to me that the observations of the right hon. Gentleman who has just sat down have left this matter in a more unsatisfactory position than it occupied before he rose. For my own part, I am bound to say frankly that, while no man stands more clear of any positive imputation affecting his sense of honour than the right hon. Baronet, I think it was an error—one of those errors into which any of us might fall—to make use of the paper, or to give to it the importance which he ascribed to it. But I should not have thought it my duty to give utterance to that opinion had it not been that the right hon. Gentleman who has just sat down has tended rather by his observations to stereotype, if I may say so, that mistake. The doctrine of the right hon. Gentleman appears to be that if there be a letter of a formal character upon subjects of importance, a document of a certain dignity of form, it is to be private; but that the slight communications often written in pencil and unsigned, which pass between Members of the House in the course of the evening, are not to be treated in the same way. I think, however, on the whole, that the prudent and safe course is that no notice should be taken even of these slight, informal communications when they happen to fall into hands for which they were not intended. If they can be identified they ought to be sent to the parties to whom they belong; but if not, they should be regarded as not having been discovered. The right hon. Gentleman hardly meets the difficulty by saying that this paper tended to disclose a course of conduct prejudicial to the public interests; and he lays down, with a degree of rigour that cannot be admitted, the doctrine that the Government are bound to keep a House on Friday nights. What I have always understood was, that the Government were bound to make reasonable efforts to keep a House on Friday nights. The House met at a quarter to 4 o'clock on each Friday evening, and my hon. Friend the Member for Shaftesbury (Mr. Glyn) succeeded in keeping a House during the critical hours of dinner, and after that on another occasion, when there were special grounds for it, he was able to secure the attendance of 40 Members. If afterwards, when the low-water mark was passed, and the House had been sitting six or seven hours, it was counted out at 20 minutes to 11, no blame can, I think, be fairly attached either to my hon. Friend or the Government. I wish, at the same time, to make the general observation that, although we do not in the slightest degree shrink from the reasonable duty of continuing our efforts to keep a House, we are, in my opinion, entitled to some assistance in the performance of that duty from hon. Members on both sides of the House. That small list of statistics which was given to us by my right hon. Friend near me when he pointed out that of 26 Members who were present on one of the occasions of a count-out nine were Gentlemen holding office —not the least occupied men in the House—while there were only three or four Members on the benches opposite, shows, it appears to me, that the Government ought not to be blamed for the cessation of business on that occasion.

Mr. GILPIN said, with respect to the first point involved in the discussion—the production of a certain piece of paper—he would merely observe that the only rule which he thought could be properly adopted in such cases was to keep that secret which was evidently intended to be kept secret. As to the other point which was raised by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), who said the majority of the House were opposed to "counts-out," he would remark that although he knew nothing about the "count-out" on Tuesday, he knew a good deal about that of Friday, inasmuch as it was he himself who moved that the House be counted, at a time when neither the right hon. Gentleman nor the right hon. Member for Droitwich (Sir John Pakington) was present; when there were only three Members on the benches opposite, and only 15 in the House altogether. Upon that occasion he was a most disinterested mover, inasmuch as he happened to have paired for the night; but he did not think it right that very important measures should be proceeded with, and Votes involving millions of money taken in Committee of Supply, when the attendance of Members did not amount to much more than a dozen. What he had done on Friday he should not hesitate to do again under similar circumstances; and the way in which hon. Gentlemen could prevent a "count-out" was by being in their places, and thus proving the right hon. Gentleman's assertion that the majority of the House disapproved such a proceeding.

Mr. CAVENDISH BENTINCK said, he had always been a consistent and conscientious advocate of the right of private Members. It was sometimes contended, and indeed he had observed an article in the leading journal that morning to the effect that the rights and privileges of private Members ought to be extinguished as soon as possible, inasmuch as they did not appear to care for them themselves. That advice appeared to be quite in accordance with the view taken by the hon. Member for Boston (Mr. Collins), who talked about the necessity of having a quorum, entirely forgetting that there was scarcely ever a quorum in the House at 8 o'clock, even when the most important subjects were under consideration. The hon. Gentleman had spoken also of the House having sat till 3 or 4 o'clock on Tuesday; but whose fault, he should like to know, was that? The fault of the hon. Gentleman himself, who moved the adjournment of the debate contrary to his (Mr. Bentinck's) wish and to that of many other Members sitting on the Opposition benches. In reply to what had fallen from the hon. Member for Northampton (Mr. Gilpin) he would merely put a simple question. How, he should like to know, were independent Members to keep a House during the dinner hour? Was there any private Member on either side of the House who had sufficient influence or popularity to induce 38 other Members to remain in the House during that time to listen to his speech? He believed not; but the case was quite different with the Government. The right hon. Gentleman at its head had under him at least 30 paid Members, and besides he had almost absolute command over something like 380 other Members sitting on the benches behind him. It was very extraordinary, then, that he should not be able to secure the attendance of these 30 paid Members and some 10 or 20 Members more from among his followers in order to carry on the business of the country. He maintained that it was the duty of the right hon. Gentleman, instead of proceeding in the policy of confiscating the rights of private Members, to compel his 30 paid Members to be in their places to keep a House, or else to dismiss them from office.

Mr. BAILLIE COCHRANE said, he wished to put a question to the hon. Member for Northampton (Mr. Gilpin), who had stated that he should not hesitate to continue the practice of moving that the House be counted. The hon. Gentleman had got a Notice on the Paper for 9 o'clock to-morrow night, and he should like to know from him whether he intended to count out his own Motion? He was personally interested in the answer, because he had a Notice on the Paper immediately following that which stood in the hon. Gentleman's name.

Mr. GILPIN said, he had no objection to the House being counted out when his Motion was under discussion if 40 hon. Members did not think it worth while to be present.

Mr. GATHORNE HARDY said, there was one point on which he wished to say a word, and that was respecting the imputation that had been thrown on his right hon. Friend the Member for Droitwich (Sir John Pakington). He (Mr. G. Hardy) could not look upon the paper as being anything different from what had been spoken on many occasions, when remarks were overheard, and when anyone said in an audible voice "Let us count out," no one could help taking notice of the remark. What had been done by his right hon. Friend amounted to nothing more than that.

Motion, by leave, *withdrawn.*

ARMY REGULATION BILL—[Bill 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

COMMITTEE. [*Progress 5th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Compensation to officers holding Saleable Commissions).

Mr. RYLANDS, in rising to propose the Amendment of which he had given Notice, disclaimed any intention of prolonging the discussion on the Bill, but could not help observing that, whilst public opinion was decidedly in favour of the abolition of purchase, he believed there was a considerable want of information out-of-doors on some points in the Bill. If this question of the over-regulation prices were put before the country he believed the nation would decide in the words of the hon. and learned Member for South-west Lancashire, that a more unjust, unwise, and impolitic measure could not be devised.

Mr. ASSHETON CROSS explained that what he had stated was that if this charge upon the country were to be placed on the income tax-payers, and on that class only, a more unjust, unwise, or impolitic measure could not be devised. To that extent he still adhered to the language he had used.

Mr. RYLANDS said, that at all events the hon. and learned Gentleman went on further, and taunted the Government with not daring to go to the country on this Bill. Such taunts from the minority did not mean much. Probably hon. Gentlemen opposite were just as much disinclined to a dissolution as hon. Members on the Ministerial side. But there was really no chance of a dissolution. The Bill had been unanimously read a second time. It was true the majority, since then, had been fluctuating; but on the last division it resumed its former proportions. Hon. Gentlemen opposite had quoted *The Times* in favour of their views. He recommended them to take the advice given in a very able leading article in *The Times* of that day. He believed that the advice thus given embodied the opinion of the country at large—namely, that while the military opposition in that House had been justified up to a certain point, it would, if carried further, arouse much adverse feeling. A noble Lord said this Bill was very likely to be rejected if it went to "another place."

Lord EUSTACE CECIL: What I said was that if the Government refused to listen to a compromise the Bill would probably be rejected in "another place."

Mr. RYLANDS said, that if so, it would not be an unmitigated misfortune, for there would be an opportunity during the Recess of testing public opinion respecting various points of the Bill. The right hon. Gentleman (Mr. Disraeli) had called him (Mr. Rylands) didactic, and he would only say that if this Bill were rejected, he and some of those around him would try to earn that epithet next autumn by teaching the people of the country the alphabet of Army reform, and showing them that it would be possible to abolish purchase without any increase of the public burdens. They would tell the people of the monstrous proposal to compensate the officers of the Army with £3,000,000 for doing that which, if it had been discovered, would have exposed them to fine and imprisonment. The people should be told that the income tax had been increased, not to abolish purchase, but to defray an extravagant expenditure unwisely incurred on the Army; that Army organization meant economy not less than efficiency; that if class interests in the Army and the abuses of the Horse Guards were swept away, instead of adding £3,000,000 to £13,000,000, and thus spending £16,000,000 a-year on our Army, it might be made to cost less than £10,000,000. If, after such an agitation in the autumn, the Government came forward with an economical, a just, and bold measure, it would be easily carried through the House. But the present measure was a compromise, and to go to the country upon it would be to go upon a false issue. It was a compromise, in which the Government had sought to conciliate the Army interests and everybody concerned by conceding great things and small, from the expenture of an unnecessary £3,000,000 on the Army Estimates to the adoption of the Elcho bayonet. The Government had offered a bribe to the officers of the Army by the payment of over-regulation prices; they had not had the boldness to touch the administration of the Army at head-quarters, and they really asked the country for a large increased expenditure of public money to extend the patronage of the Horse Guards. The Bill, instead of being a compromise, ought really to be called a capitulation. The Government, in trying to abolish purchase, had given themselves entirely into the hands of the Army with a view to conciliate vested interests. His complaint was that the Bill was too favourable to the officers of the Army and disadvantageous to the public interests; therefore he had no great desire to see it succeed, and, at all events, if it were not passed this Session the offer which it contained would never be repeated. In the Amendment which he intended to move he expected to be placed in a minority; but he believed that that Amendment would be voted for by hon. Gentlemen who represented some of the largest constituencies in the kingdom, and he believed that there was a growing feeling in the House and in the country against the payment of the over-regulation prices. For 150 years the Crown, the Legislature, and the Army authorities used every means in their power to put a stop to the practice of paying over-regulation prices. Royal Warrants were issued on the subject, and by one of those Warrants, issued in 1784, a declaration was required from officers in the Army, on their honour as officers and gentlemen, that they had in no way been connected with any such payments;

and in the Circular sent with a Royal Warrant on this subject officers who evaded His Majesty's order, shamefully forfeiting their word of honour, were told that they would be dismissed from the service. But even that declaration upon honour failed to prevent such transactions, and in 1809 a stringent and highly penal Act of Parliament was passed providing that any officer who should have bought or sold his commission for more than the regulation price should be cashiered, his commission sold, and £500 of the proceeds given to the informer, while in addition the offending officer should be adjudged guilty of misdemeanour, and rendered liable to two years' imprisonment. It had been stated that the withdrawal of the declaration formerly required from officers had given some sanction to the payment of over-regulation prices. But the Act passed in 1809 was still on the Statute Book. It would be absurd to regard this as a dead letter, and he could not discover upon what ground, in the face of these Royal Warrants and this Act of Parliament, it could be contended there was any necessity or any justification for paying over-regulation money. The Secretary for War had stated that the Royal Commission had reported strongly in favour of the payment; but on examination of the Report he could discover no grounds for this, and presumed the right hon. Gentleman must be mistaken. The real question was, whether there had been such an official recognition of over-regulation prices as to justify Parliament in burdening the taxpayers of the country with the payment of those prices? He maintained that there had been no such official recognition either on the part of the Legislature or on the part of the War Office authorities. The first conclusion to which the Commissioners came on the evidence submitted to them was that the practice of paying over-regulation prices had received no formal or express sanction from any public Department or office, and that the regulation price only had been recognized by the authorities, and paid by them to the families of officers killed in action, or for the purchase of commissions by means of the Reserve Fund. If there had been any intention or desire to recognize the over-regulation prices, surely that recognition would have been made in the case of those who had been killed on the field of battle, and whose families remained to be provided for. The noble Lord opposite (Lord Elcho) had compared the House to a body of shareholders in this matter; but if the comparison were allowed it could be carried further than the noble Lord desired. When the directors of a company were found guilty of having condoned an illegal act on the part of their officials the shareholders called on them to refund the money out of their personal estate. In like manner, if the War Department and Horse Guards could be proved to have officially recognized the payment of over-regulation money, the House of Commons, as representing the shareholders, should hold them responsible, and punish them for aiding and abetting an illegal act. The evidence, however, was most clear upon the point. In the Army Reserve Fund, since 1841 no less than £1,712,829 had been received and expended on the business of that Department, which was a kind of Government shop for buying and selling commissions, where the Government transacted a large and increasing business, as was shown by their "turn over" for the last ten years. If the Government had either paid or received more than the regulation price for commissions, that, no doubt, would show an official recognition; but the fact was that the over-regulation price had never been recognized by the Government at all. The moment the country went to war, all over-regulation prices disappeared altogether, and it was most unreasonable to ask the country to pay a price that only existed in time of peace. Of course, the argument would be used that there had been a tacit acquiescence on the part of the authorities in these prices. In their Report the Commissioners said—

> "There has been a tacit acquiescence in the practice amounting, in our opinion, to a virtual recognition of it."

No doubt it was this passage which had led the Secretary for War to believe the Commissioners were in favour of paying over-regulation money; but the "tacit acquiescence" amounted to no more than that the authorities had not put the law in motion against the offenders; but that arose from the fact that there was such an ingenious and clever combination—he might almost call it a conspiracy—between the Army agents and the officers of the Army that it was almost impossible for the authorities to put their hands on offenders for the purpose of punishing them. The War Office authorities, as an excuse for not putting the law into operation, stated that the contrivance by which the system was carried out was so intricate they could not do so. It might be urged against this Amendment that the Commander-in-Chief had tacitly acquiesced in the practice; but that argument was not a very strong one, because His Royal Highness had stated before the Select Committee of 1859 on Military Organization, that officially he knew nothing of the payment of over-regulation money, and that it was impossible he should obtain that knowledge, for if he did he must instantly take notice of the matter. He went further and explained that a military authority could only take cognizance of what came before him officially, and he stated positively that he was not aware of any more money being paid than the regulation price, because no representation was made by an officer as to what amount of money was given. In reply to another question, the Duke of Cambridge stated that he would not be likely to meet with much success if he endeavoured to extract that information from the Army agents who sold and bought commissions. Every military man knew that the payment of over-regulation money was so carefully devised as to defeat any attempt that might be made to catch those who were engaged in the transaction, and because the Army agents were clever enough to contrive to escape from conviction it was unreasonable to ask the Committee to reward them for their ingenuity. Before the Commission over which the right hon. Baronet (Sir George Grey) presided last year, General Forster, the Military Secretary at the Horse Guards, stated, in reply to a question whether over-regu-prices had not been paid for cavalry and infantry commissions, that such seemed to be the case; but in his position he knew nothing whatever of the matter, and he added that if the Commander-in-Chief knew officially that more than the regulation price was given for a commission proper steps would be taken to correct the matter and to punish the offender; but he thought it impossible to find out such a payment, or even to get at the facts with such moral certainty as would warrant the Commander-in-Chief interfering to prevent the completion of the transaction. Another witness, Sir Edward Lugard, said that in the War Office nothing was known of such a practice as the payment of over-regulation money, and that if it became known steps would be taken to check it. Thus the attempt to show that the authorities had sanctioned the system, and that the public was in any way compromised, entirely failed, and the argument for paying officers the over-regulation price fell to the ground. Moreover, the officers never paid these sums without knowing that they incurred a certain amount of risk. It should, too, be remembered that the object of the War Office in fixing a regulation figure was to guard against men with long purses buying over the heads of gentlemen of moderate means, and to him it seemed monstrous that those gentlemen, after attaining rank by the power of their purse, should expect to be paid the amounts they had expended and still keep their rank. The Amendment was quite consistent with the scope of the Bill, and would not interefere with selection. It was distinct from the question of the payment of the regulation price down, which might be a matter for consideration if the Amendment were carried. It only affected the over-regulation money, and he hoped that it would be adopted, for to reward a violation of the law would be a discredit to the Legislature, and tend to produce great and just discontent amongst the people of this country. The hon. Member concluded by moving in page 2, line 21, to leave out "estimated" and insert "regulation."

Amendment proposed, in page 2, line 21, to leave out the word "estimated," and insert the word "regulation."—(*Mr. Rylands.*)

Sir GEORGE GREY, as a Member of the Commission which last year inquired into the question of over-regulation payments, wished briefly to state that, after the evidence taken by that Commission, he was opposed in principle to the Motion of his hon. Friend (Mr. Rylands). He admitted at once that the payment of over-regulation prices was absolutely illegal, and that if this question was to be decided upon strictly legal grounds there would be no justification for asking Parliament, as a consequence of the abolition of purchase, to pay to the officers as compensation a shilling more than the regulation prices. Of this there could be no doubt, and he would say to the opponents of the Bill, that in contending that there was a strict legal contract between the Government and the officers in respect of the sums paid in purchase, they were affording a strong argument in favour of the proposition of his hon. Friend. If the contract was to be strictly enforced on one side, it must be so also on the other. He (Sir George Grey) thought the Government had done wisely in not dealing with the question on purely technical and legal grounds. They had, in his opinion, taken a statesmanlike, equitable, and just view of the case in the principle of the proposition they had submitted to Parliament. He said the principle because they were then discussing principles, not details. The Government proposed that there should be an equitable compensation given to officers in respect to over-regulation prices, in consequence of the circumstances under which such prices had been paid. In opposition to this his hon. Friend proposed that the regulation prices only should be paid. He should be sorry for the Committee to suppose that in supporting the proposal of the Government he wished to prejudice any proposal by which the difficulties of the case could be lessened by modifying the details while maintaining the principle on which the Government proposal was based. What were the circumstances under which over-regulation prices had been paid? His hon. Friend said the Commission of last year had no authority to express any opinion on this subject; but in this he was mistaken, because it was referred to them to say whether to any and to what extent this practice of paying over-regulation prices had received official sanction. They therefore stated, without drawing any inference from the fact, that though the principle had received no formal or official sanction, it had been sanctioned virtually. Expressing only his own individual opinion, except in so far as the terms of the Report showed that the opinions of the other Members of the Commission agreed with his own, he must say that the whole tenour of the evidence proved it to have been morally impossible during a great many years past for young men to enter the Army as officers without making themselves parties to the system of paying over-regulation prices. A young man entered the Army under an implied obligation to conform to the existing system. He found that every office of high rank—certainly those in the grades immediately above him—had conformed to the ordinary custom as to promotion, and to expect him under these circumstances to refuse to be a party to it, was to require of him an amount of moral courage he could not be expected to possess. There was no officer in the Army who had attained high rank in a purchase regiment, nay, there was, probably, no hon. Member of that House with a son in the Army, who had not been a party to this practice. The Commission reported that, while the prevalence of the payment of over-regulation prices had been general and notorious, no attempt had been made to put a stop to it by process of law; but that, in fact, there had been an acquiescence in it, amounting to a virtual recognition of it, by the military and civil authorities of the country. His hon. Friend (Mr. Rylands) had said the military authorities were anxious to put a stop to the practice; but having considered the evidence carefully and impartially, he must say that, in his opinion, no real honest attempt had ever been made in that direction. In no instance since 1834 had there been any action on the part of the Horse Guards to stop the system, and their interference in two cases in 1833-4 was remarkable from the fact that the engagement to pay over-regulation prices was brought to the notice of the Commander-in-Chief, not in the shape of a complaint of a breach of the law, but by an aggrieved officer against another for failing to fulfil his agreement to pay the illegal sum. Well, was it just, honourable, and fair to say to officers, after they had been encouraged in this system by common practice and the virtual sanction of authority—"We will abolish purchase, and deprive you of all those sums you have paid beyond the over-regulation under the existence of an established custom?" The amount of over-regulation price was as well known in every regiment as that of the regulation price. These things being so, he, for one, could not take upon himself to say that officers were to be made the scapegoats of a vicious system, and subjected to heavy penalties for acting in accordance with an established custom. At the same time that he said this, he was anxious not to be supposed to approve of these payments. He must express his opinion that after the evidence taken by the Commission, and the Report they had presented, it was impossible to allow the system to continue in the future. Official persons formerly pleaded ignorance in regard to the existence of this system; but their ignorance arose from the fact that they shut their eyes to it, and he believed they themselves had not been clear from participation in the system. But now the whole facts of the case were fully in possession of the Government and of Parliament. The fact was the obtaining promotion was impossible without paying over-regulation price. A former Military Secretary to the Commander-in-Chief described the position of a young man who would pay only the regulation sum as "intolerable." He stopped promotion in the regiment, and became most unpopular. In the course of the inquiry by the Commission, there was stated the remarkable case of a subaltern, whose father refused on principle to pay over-regulation price as being a violation of the law; but in that case, in order that the flow of promotion might not be stopped, the money was advanced to him by his brother officers, who regarded the amount so advanced as a debt of honour due to them. His right hon. Friend the Secretary of State for War last year attempted to get rid of one of the lower ranks in the Army, leaving only one class of subalterns; but he was met by the objection that if this were done injustice would be inflicted upon the lieutenants who had paid over-regulation prices for their commissions, and the proposal had to be abandoned, a Commission being appointed to inquire into the whole question. The information obtained by the Commission led them to the conclusion that one of the incidents of the system of paying over-regulation prices was "an habitual violation of the law, unchecked by any authority." He thought to continue this would be discreditable alike to the Government and to Parliament. The Government might have proposed to remove the scandal involved in an habitual violation of the law by legalizing the system of over-regulation payments. No one had suggested that course, and if the Government had done so Parliament would not have sanctioned the proposal. Another course was that which they had taken—namely, to put an end to over-regulation payments by doing away with purchase altogether, condoning all past offences committed against the law under the circumstances he had stated, and indemnifying the officers for the outlay they had actually made. This seemed to him to be a wise, just, and equitable proposal, which would not prejudicially affect officers who had been led into the payment of the over-regulation prices by no fault of their own. But if the plan failed—if this Bill should be rejected and purchase continued, then it would be the duty of the Government forthwith to let it be publicly known that it would not consent any longer to this practice of giving over-regulation prices. They would be bound to enforce the law to the utmost, to decline to recognize any future interests in respect of over-regulation payments hereafter made, and to advise the Crown to have recourse to the principle of selection in regimental promotion, by which this practice would undoubtedly be checked. Selection was no new principle, for in the regulations of 1719, the practice of over-regulation payments being anticipated it was expressly laid down that no officer selling out should have anything to say as to the appointment of his successor. In 1786 a Circular letter was addressed by the military authorities to colonels of regiments repeating this injunction in the most explicit terms. Subsequent alterations in the regulations had established the rule of seniority among purchase officers, which afforded every facility for the practice of the evil complained of. He therefore considered the Government would be justified in using every means at their disposal, whether by the exercise of Royal Prerogative or by law, to put an end to this vicious system.

Mr. VERNON HARCOURT said, the gravity of the question was shown by the fact, as stated by the right hon. Member who had just spoken (Sir George Grey), that Parliament was substantially asked to vote £3,000,000 of public money as a recompense for habitual violation of the law, unchecked by any authority. They were going, therefore, to vote from the public money, a sum to men who were admitted to have habitually violated the law, and thereby to sanction the conduct of those authorities who ought to have checked them, but who had not done so. It was, so far as he knew, the first time an English Parliament had been asked to take such a course, and the question ought therefore to be very carefully considered. The illegality of these over-regulation transactions was not disputed, and though the Mutiny Act rendered it penal in any agent to take part in them, Parliament was now asked to indemnify and compensate the principals. That he did not think was a proceeding which, in any sense of the term, could be called logical. The argument upon which the Commission had rested the defence of these transactions was that of connivance. That was not a very agreeable word, nor did it represent very creditable practices. Hon. Members would remember the story in "Horace" of the conniving husband, who said *non omnibus dormio*—who was always fast asleep when the rich lover came, and awoke only when the poor man approached. That, he thought was a very just description of the doctrine of connivance. He wanted to know who in this country had the right to connive away the provisions of a penal Act of Parliament? They knew something of the doctrine of connivance, which, 200 years ago, lost the First Charles his head, and later cost the Second James his throne; since that time, however, he had fancied the Executive Government had abandoned the theory, but he had been extremely surprised to hear from the representative of a Whig name the doctrine of connivance advanced as a justification for dispensing with the provisions of a penal Act of Parliament. If the military Executive of this country refused to perform its duty, by conniving at the breach of an Act of Parliament, that Executive ought to be impeached by the House of Commons, as Executives have been in former times. He agreed, however, with the hon. Member for Warrington (Mr. Rylands), that the proof of connivance was not sufficiently strong to justify any hon. Member in calling down upon the authorities the strong hand of Parliamentary censure, and he supposed the Secretary of State believed their disclaimer of such connivance, as he had maintained them in their positions. And in connection with this matter, he hoped that the House of Commons was not so unworthy of its predecessors as to hesitate to take measures such as in former days had been adopted against persons guilty of misfeasance. In the evidence given before the Commission, Sir Edward Lugard, representing the War Office, distinctly stated that he knew nothing at all about it, and General Foster, of the Horse Guards, in a letter to Mr. Sidney Herbert, stated that it was difficult to obtain legal evidence with reference to the point. The Duke of Cambridge also in his evidence before the Commission stated that where money was concerned it was very difficult for any authority to limit the mode in which it was to be distributed, adding that he, for one, should be glad if he could see any way in which, officially, an end could be put to practices of this description. In short, all the gentlemen examined distinctly and collectively denied that they knew anything about the matter under consideration. Now, connivance meant the deliberate and intentional allowing a thing to be done for some reason or other. It did not mean that you knew a thing occurred, and were doing all you could to prevent it. For instance, everybody know that there was in the Metropolis a great deal of crime of which we could not get evidence, but no one could assert that we connived at that crime. For that reason, then, that was not the sort of connivance which justified the payment of a sum of money to the officers as though they had been encouraged in the practice. We knew that this misdemeanour was going on, of which we could not obtain legal evidence; but we were not therefore conniving at it. But that was not all. In the year 1859, when General Peel was Secretary of State for War, a correspondence passed between the Treasury and the War Office, in which this question of over-regulation prices occurred. General Peel wrote in these terms—

> "Major General Peel feels compelled by what is required for the public service to press the question once more on the consideration of their Lordships, as he cannot acquiesce in the justice of the position assumed by them as an argument for their refusal, that the officers of cavalry regiments are habitually in the practice of paying for their promotion beyond the price required by the regulations — a practice which would subject the

offenders under the statute to lose their commissions, and to other punishment."

Here, then, was the Secretary of State for War indignantly repudiating the insinuation that over-regulation prices were paid at all; and yet it was now alleged that there had been connivance in the system on the part of Departments of the State. He maintained, on the other hand, that there had been no such connivance at all. In 1856, after the Crimean War, the propriety was felt of granting to the widows and children of officers killed in action an allowance of the money they had paid. Well, they were paid the regulation price and not the over-regulation price. Instead of connivance, therefore, here was a distinct and recorded decision that over-regulation prices were not recognized. A great deal had been said respecting the withdrawal of the declaration upon honour, which used formerly to be made by the officers of the Army; and that declaration was much relied upon by those who advocated the payment of over-regulation money. He regretted that this was the case, as he thought it could hardly be agreeable for a body of men whom he held in the highest respect, to remember that the declaration upon honour that they had not been engaged in illegal transaction was withdrawn because it had been discovered that it was commonly evaded. Surely the advocates of military honour ought to desire that that circumstance should be forgotten. But at the time this declaration upon honour was withdrawn there was issued from the Horse Guards a Memorandum in which it was stated—

> "It is further most humbly submitted to your Majesty that it should be declared that in all cases where the regulation appears to the Commander-in-Chief to have been infringed or evaded the promotion should be at once cancelled; and that in all cases where proof is obtained that the provisions of the statute have been infringed, the Commander-in-Chief should take measures to give full effect to the penalties attaching to such offence."

That Memorandum showed that the withdrawal of the declaration on the part of the officers was not meant to alter the state of the law which previously prevailed; and in the case referred to by the hon. Baronet (Sir George Grey), which occurred in 1833, ten years afterwards, the Commander-in-Chief considered himself bound to inflict a punishment when the case was brought under his notice. The Committee was in this dilemma—either there had been such connivance and misconduct on the part of the military authorities that they were bound to take Parliamentary notice of it; or, if they had not been guilty of this offence, there was no justification for the proposed payment of over-regulation prices. It was said the practice was notorious; but a great many things were notorious, but they were not to call upon the country to pay for them on that account. Electoral corruption was notorious; but he had never heard of a Member of Parliament, after accepting the Chiltern Hundreds, coming to the House and demanding the re-payment of the money he had expended in his election. Gambling, again, was notorious, and the transactions at Tattersall's were notorious and illegal; but he never heard of a Government introducing a Bill to indemnify gentlemen in regard to their transactions on the Turf. The Royal Commissioners, in their Report, gave utterance to this remarkable sentence—"There appears, indeed, to be no feeling of obligation to obey the law." One would have thought that was part of the Report of the Commission on the state of Westmeath, rather than the announcement of a Commission considering the condition of the British Army. The singular conclusion drawn from that state of feeling was, not that we ought to suspend the Habeas Corpus Act in the Army, but that we should pay £3,000,000 to the officers. Mr. Hommersley, the agent, said the thing was done so secretly that he did not actually know what the money was given for, although he had a very good theory on the subject. He (Mr. V. Harcourt) did not say there was any moral turpitude or personal dishonour about the transaction; but, still, no officer who paid the over-regulation money was unaware that the transaction was an illegal one, and one, therefore, to be carried out in secret. A friend of his said to him the other day—"I paid the money for my commission to the person from whom I purchased it by a cheque payable to order, but the officer to whom I paid it refused to accept the cheque because he dared not put his name on the back of it." And yet transactions of this kind were so connived at that the taxpayers were to pay £3,000,000 in respect of them. Hon. Gentlemen opposite relied very much upon contract, the doctrine of which had been laid down by his hon. and gallant Friend the Member for Bewdley (Colonel Anson), and his noble Friend the Member for West Essex (Lord Eustace Cecil). The former said that we were altering the terms of service, and his definition of the terms of service was in substance as follows:—"The present terms of an English officer are that he is to go where he pleases and nowhere else, this being the effect of the right of exchange; and that he is to do exactly what he pleases, as he has the right of not being removed for incompetence." [Colonel ANSON remarked that the hon. Gentleman had completely misunderstood him.] In that case, later on, his hon. and gallant Friend would, no doubt, set him right on that point. His noble Friend opposite (Lord Eustace Cecil) had stated that one of the terms of the contract was the right of not being superseded; but if that were the case our Army would be the worst officered Army in the world. He maintained that there was no such contract, and that the Queen possessed the right of superseding any officer whenever she chose to do so. There might, indeed, be a sort of equitable understanding, but there was certainly no contract. His hon. and gallant Friend the Member for Bewdley, unlike the Pharisee, regretted that those who represented the Army in that House were not like the poor publicans, who had succeeded in attaining their object, while the Army was weak and defenceless. Why, if the publicans ever received from the Home Secretary such terms as had been offered to the Army by the Secretary for War, they would be ready to jump down his throat. They would be delighted if they were offered not merely payment for the goodwill of their business and the money invested, but also the over-regulation money for the drugs they had put into their beer. The right hon. Baronet said very amiably in his speech—"Let us condone the past and be very severe for the future." But if we were to remunerate with £3,000,000 those who had violated the law, what confidence could we have that similar transactions would not occur hereafter? There was one remedy which might have given hope, but the Government had not offered it, and it was to put the administration of patronage into the hands of the Government. No; the administration of the Army was to remain in the very able and honest hands of the Field Marshal Commanding-in-Chief, who had said—"If you did away with purchase to-morrow, I believe those officers of the Army who were rich enough would somehow induce those above them to leave in order to make room for them." He believed it would be so; and, if that were the case, what were we to pay this money for, and what security could the Government hold out? The head of the administration of the Army said that, when we had done away with purchase the thing would go on as before, and still we were going to leave the administration in the same hands. Every authority in the War Office and the Horse Guards told us that it was not from want of severity in the law, nor from want of will, that the thing had not been stopped before, but from want of evidence; and would the evidence be forthcoming in the future? Not at all; and there was no reason why that which was said now should not be said five or ten years hence. It was said that the regimental system was to be destroyed; but why should it be? A great many people thought it a good thing; he did not know enough about it to say whether it was or not; but, if it was a good thing, how monstrous it was to destroy it. It was monstrous to say we were to abolish the regimental system because the military authorities would always be so ignorant that they were the only persons who did not know what was going on about them. Promotion by seniority existed in other Departments of the State—at the Treasury, the War Office, the Foreign Office, and the Home Office—and yet he never heard of the clerks in the Foreign Office combining to make up a purse to buy out Mr. Hammond. Why was it that this unrivalled desire to buy one another out existed among the military class alone? Why did not officers in other Departments buy one another out? He never heard of the Solicitor General taking the Attorney General into the lobby, and asking him what he would take to retire. In the Cabinet, promotion was sometimes rather slow, but he never heard of a junior Member of the Treasury bench offering a Member of the Cabinet anything to go out and make a place for him. It was not easy to see what limit there could be to the system, if it existed outside the military profession; and if the Leader of the Opposition made a handsome offer he might buy out the whole Government, and we might be told that the country would derive considerable advantage from the rapidity of promotion facilitated in this way. But he supposed they would be told, and they were always told, that what they were proposing was confiscation, and he was sure the noble Lord the Member for Haddingtonshire would not be able to avoid telling them that. But he had always understood that confiscation was the confiscation of property. [Lord ELCHO: Hear, hear!] His noble Friend said "hear, hear." Property, he had always understood, rested upon law; and greatly as hon. Gentlemen opposite were enamoured of vested interests, he had not heard that there existed a vested interest in a misdemeanor. Inasmuch as there was no vested interest in a misdemeanor, he thought the noble Lord the Member for Haddingdonshire would find it difficult to make out a case of confiscation. Well, they were asked to vote these £3,000,000. It was all very well to say that they were to be generous, but it was not their own money they were going to be generous with. It was the money of the people they represented. They had heard a good deal, during the present Session, of touching compassion for the poor clerks and poor widows who were to pay the 2*d*. income tax; but this sum of £3,000,000 was exactly the sum to be paid by the poor clerks and poor widows, for whom hon. Gentlemen opposite had shown so much interest a few weeks ago; and he hoped, when it was proposed to apply this sum out of the pockets of the poor clerks and widows to pay people for committing a misdemeanor. [Colonel C. H. LINDSAY: It is not £3,000,000 a-year.] Well, £3,000,000 for one year. He hoped the hon. and gallant Officer would extend his sympathy to them for one year. He must confess that the unwisdom of offering these terms could be equalled only by the extraordinary folly of refusing them; but, for himself, he could be no party to offering them. They were told it was the price of the Bill. He was willing to pay a price for the Bill; and he had voted for it; but there was a price he was not disposed to pay, and that was the price which was asked in this part of the Bill. He believed it was a price which ought not to be asked of them; and it was a price they ought not to pay. The sum of money was a large sum; but it was a trifle compared with the principle involved—the principle, introduced for the first time in the history of Parliament, of paying money for the violation of an Act of Parliament. That was too great a price to pay for this or any other Bill. If they once assented to such a principle as this, how were they to maintain in this country that high standard of public morality which had distinguished the English nation in its official character? How could they do it if they gave Parliamentary sanction to transactions described as connivance on the part of the highest authorities, by remunerating the offenders? However unfortunate they might be in the circumstance of having been found out, they were still offenders against the law. He quite admitted the hardness of the case with reference to those individuals; but it had been well and truly said that hard cases made bad laws; and he believed that a hard case made a very bad Parliamentary precedent. Government in this country was very materially affected by precedent, and we ought to be very careful how, in a matter of such supreme importance as this, we set a bad precedent. He asked the Committee seriously to consider what would be the consequence of pursuing such a policy as this. He was unwilling to raise a class question; and, indeed, it was not he who did so; it was raised by proposals of this description; and we might depend upon it that when we were remunerating the military class for a breach of the written law of the Statute Book, it would be justly asked whether we had ever done it, or whether in the future we ever would do it, with reference to any other class in the country? He did not wish to speak hardly in any way of the Government; they had made this proposition because they were placed in a difficulty; but he wished they had relied a little more upon public opinion; he wished they had relied a little more upon the principles of that party by which they had been and still were loyally supported, and they would not then have included the proposition in the Bill. It was not a just, and it was therefore a dangerous proposal. He believed the opinion of the country was strong enough to carry an Army reform—for which he was as anxious as anyone—based upon just principles; by which he meant fair compensation for legal rights, and not compensation for illegal transactions. The Government would have done more wisely—they would have given more confidence and heart to their party if they had infused a little more strength into the measure; it was too strong for the other—the Opposition—side, but not quite strong enough for this. If they had remembered the old nursery rhyme—

> "Have a new master, be a new man,"

and had applied that to the Army Bill, they would have rallied a more enthusiastic support than the Bill had commanded. He hoped the proposal would be re-considered by the Government, and they would not, by carrying such a proposition, produce in the country the dangerous opinion that there was in the House a class so strong that the Government were not willing to encounter it, and that the House itself had not courage to deal with it. If such a proposal were carried it would be by the votes of hon. Gentlemen opposite, and if it were so carried, he was sure the Government, considering the past history of the Bill, would feel that the support by which alone such a proposal could be carried was its just and principal condemnation.

Mr. HUNT said, he had not hitherto troubled the Committee or the House during the discussions which had arisen on this Bill, and having been a Member of the Commission he was anxious to make a few observations. In one remark made by the hon. and learned Gentleman who had just sat down (Mr. V. Harcourt) he entirely agreed. He asked, supposing they abolished purchase, what security was there that the same system would not again spring up? There was no security. Such security might have been provided by this Bill, and it was one of the defects of the Bill that it provided none. It was quite competent, however, for the right hon. Gentleman having charge of the measure to allay the apprehensions of the public by telling them what security there would be. With regard to the present Amendment, he entirely agreed with the right hon. Baronet who presided over the Commission (Sir George Grey), that the Government could not have done otherwise in purchasing the interest of officers in their commissions than include the over-regulation price. The hon. and learned Gentleman who last spoke said they proposed to recompense officers for their perpetual violation of law. That certainly was not a fair statement of the case. It was not proposed to recompense them for violations of the law, but to recoup what they had expended to attain their position—an outlay which was allowed under the existing system. The hon. and learned Gentleman had been exceedingly severe on what had been called the connivance of the authorities; but they were not dealing with the authorities who had connived at over-regulation prices, but with the position of officers who had acquired certain interests under the existing practice. The fact was, he did not think the authorities had the matter entirely under their control, for in the Act which was passed on the subject, Parliament had attempted an impossibility. As was said in the Report of the Commission, if they allowed commissions to be the subject of sale and purchase at all, it was perfectly impossible to fix their price. The hon. and learned Gentleman compared this with the illegal purchase of votes for seats in that House, but the analogy did not hold, for the traffic in voteswa s illegal, whereas commissions were allowed to be the subject of purchase. He believed the authorities who had from time to time failed to check, or, as it had been described, connived at, the practice, were in a position in which it was utterly impossible for them to do otherwise than they had done. The arguments of the hon. and learned Gentleman were not entirely consistent with each other, because, having said that the authorities had connived at the practice, he proceeded to read extracts in order to prove that they knew nothing about it. That statement must, however, be taken with some reservation, for all that was meant was that they had no official information on the subject. He did not think any witness came before them to say that they had no knowledge on the subject, but simply that the knowledge was not in an official shape. What the Committee had to look to was this—they found an officer who on entering the Army found himself compelled to fall into the system of paying the over-regulation price; the system had existed for a great number of years; the prohibitions against it were never attempted to be enforced; officers had attained their positions under that system; it was proposed to abolish it, and the question was ought they to ignore the price which the officers had paid? He thought it utterly impossible that such a proposition should receive the support of the Committee. The right hon. Baronet (Sir George Grey) had called attention to the fact that the system had always been recognized. The only two cases where a violation of the law was brought to the notice of the War Office were complaints against parties who refused to fulfil their obligation to pay over-regulation price. It had been elicited reluctantly from witnesses that there was no reason to suppose that the authorities at the head of the War Office and the Horse Guards, who had sons in the Army, had not themselves been parties to the payment of over-regulation prices. A statement was made by an officer that he had paid the over-regulation price when his father was at the head of the Horse Guards, and there was every reason to believe that his father had found the money. He put aside all questions of generosity—he was not disposed to be generous to officers, but he asked the Committee to be just, and he did not think under the circumstances, in which officers had paid over-regulation prices, that justice would be done by the terms it was now proposed to give them. The hon. and learned Gentleman the Member for Oxford (Mr. V. Harcourt) had alluded to the Correspondence between the Treasury and the War Office; but when he (Mr. Hunt) was on the Commission he had called attention to the Correspondence in a reverse sense to that in which the hon. and learned Gentleman had made allusion to it. When the hon. and learned Gentleman quoted General Peel it should be remember that the most conclusive answer to the hon. and learned Gentleman was that General Peel, who had served on the Committee, had signed the Report, in which appeared this passage—

> "There has been a tacit acquiescence in the practice, amounting to a virtual recognition of it by the civil and military authorities."

That was a tacit admission that General Peel, who had been Secretary at War, had virtually recognized the system; and if he had been asked, if he had personally paid over-regulation prices, he would have found great difficulty in giving a negative answer. He did not wish to detain the Committee, the right hon. Baronet the Member for Morpeth having so fully expressed his views on the question; but he really thought they would be guilty of injustice if they acceded to the Amendment of the hon. Member for Warrington (Mr. Rylands), and refused to recognize the price which the officers had actually paid for their commissions.

Colonel SYKES said, that the position of officers really was this—they had paid not only the regulation price, but a sum beyond the regulation price, and the Amendment proposed, when they were abolishing purchase altogether for the future not to give all that was paid, but only the regulation price of commissions. Whatever was paid beyond the regulation price was to be confiscated. He maintained that was not just or right. His opinion decidedly was, that as officers had paid over-regulation prices with the tacit consent of every authority, from the Commander-in-Chief downwards, the Government were bound in common honesty to reimburse the whole sum paid.

Colonel JERVIS said, he thought, that there was some doubt whether, under this Bill as it at present stood, the War Office would pay the over-regulation price generally, or only to officers of certain regiments. The Secretary for War no doubt said emphatically that officers who retired by sale of their commissions should receive the over-regulation and customary price; but, according to the Bill, the officer would have to prove the custom of his regiment; and throughout the Line there was a vast number of officers who paid no over-regulation price. He should like to know the exact meaning of the word "customary" in the Bill, and whether words would be introduced to make it quite clear what that intention was.

Mr. CARDWELL said, that the term customary price was defined at the bottom of the third page of the Bill by able draftsmen, who had endeavoured to carry into effect the purpose which he explained when he introduced the Bill. It appeared to him to be perfectly clear, and no doubt at all was suggested to his mind; but, if it should turn out to be necessary, he would introduce words to prevent misapprehension. The object was to give the person interested what he would have received if the Bill had not been passed, and he believed that object was accomplished by the language of the Bill.

Colonel JERVIS said, that the right hon. Gentleman had not explained what was meant by the word "customary" in the clause.

Mr. ANDERSON said, that the right hon. Baronet (Sir George Grey) had apologized for the young officers who had not the moral courage to decline to pay over-regulation price when it was the custom to do so; but it was certainly hard that the people should have to pay £3,000,000 for their want of moral courage. It was not quite accurate to say that no punishment had been inflicted for paying sums not sanctioned by law, because in 1833, when such a payment came to the knowledge of the Commander-in-Chief, he expressed his deep regret that so great a breach of regularity should have been committed, and after consulting the Judge Advocate General, he submitted to the Sovereign that the three appointments which had been made in consequence of that payment should be cancelled, and the officers remitted to their former position. In his (Mr. Anderson's) opinion there were no vested rights, because the Queen could at any time deprive officers of their over-regulation price by putting them upon half-pay. At the end of the Indian Mutiny five lieutenant colonels were without any fault upon their part, put upon compulsory half-pay, notwithstanding that each of them had paid £5,000 for over-regulation price, and which money they were in this way deprived of. If the present Amendment were not agreed to, surely these five officers ought to have their cases considered. He thought that officers who had a peculiar interest in this question would show bad taste if they voted upon this question.

Colonel LOYD LINDSAY said, that the hon. and learned Member for Oxford (Mr. V. Harcourt) had stated that, independently of the £3,000,000 to be paid for the over-regulation price, there remained the question of what was due to that House and the country. For himself, he thought that if the House, after shutting their eyes persistently for so many years to the practice of paying over-regulation money, were now to cry out that they would be exceedingly virtuous—virtuous not at the expense of their own pockets but by saving their own pockets—and that they would not repay that money to the officers who had paid it on the faith of what had been a perfectly well-known and recognized practice in the Army, the House would be acting dishonestly towards those officers. The proposal of the right hon. Gentleman the Secretary of State for War, that the officers should receive the over-regulation and the regulation price of their commissions was in the main eminently fair and just to them; but he had said before, and now repeated, that when his right hon. Friend came to look into the question more closely, he would find that it was only just that purchase officers serving alongside of officers who had not paid for their commissions should either receive their money back at once or should receive some interest upon it. He regretted that the Government had not taken that view of the case; and he still hoped that they might be induced to pay 3 or 4 per cent on that money, in order that there might not be two men serving side by side on different scales of pay. The plan of allowing a fair interest for their money was infinitely preferable to paying the money down at once, because the latter arrangement, though it might be satisfactory to the officers, would have the effect of checking retirement from the service, and would not act beneficially on the regiments. He admitted that the officers had no positive right to that money, because the Queen, with the consent of Parliament, might say that over-regulation should be put aside. Yet he could not suppose for a moment that they would ever see that done by a British House of Commons; for although the officers might not have a strict legal right in that case, they still, he thought, had one in equity and in honour. He should, therefore, have much pleasure in supporting the Government on this occasion. ["Hear!"] Hon. Gentlemen might laugh, but it was a very important vote that was about to be taken; and if the Government were beaten on that Amendment they would have to abandon their Bill, as, indeed, he thought they ought to do. Hon. Gentlemen on his side had been taunted with offering a factious opposition to that measure; but he hoped it would be remembered that, in supporting the Government in this instance, they were really helping them to carry their Bill; and he could assure his right hon. Friend that, although they believed it to be a bad Bill, and one which would be mischievous to the Army, yet, if it were passed, every one of them on either side of the House would then be found anxious to do their best to make it work as well as possible.

COLONEL DYOTT said, he had understood the hon. Member for Glasgow (Mr. Anderson) to say that hon. Members of that House who had been or might be in the service ought not to vote on that Amendment.

MR. ANDERSON said, he had alluded only to hon. and gallant Members who were on full-pay

An hon. MEMBER: There are only two in the House.

COLONEL DYOTT: He intended to vote in favour of the Amendment, because he thought that officers should be the first to express their opinions upon this matter. He did not think it would be any injustice whatever to withhold the over-regulation price from officers who had paid it; because no officer had ever paid the over-regulation money, without knowing at the time he did it that he was incurring a risk; that he had a claim against the country to recover the regulation money, but none to recover any over-regulation money which he might have paid. Nobody could pretend that there was a legal claim to the over-regulation price; and he could not find in the Report of the Commission any recommendation on the part of the Commissioners that the over-regulation price should be re-paid. There must be two parties to the transaction; the payer and the receiver; and the House was bound to do justice, as far as it could, to both. He contended that it would be doing a very great injustice to the taxpayer to call on him to pay that which the officer was not legally entitled to receive, and he also contended that the officer had no just right to demand or expect that any over-regulation money should be paid him by the taxpayer. The right hon. Gentleman for North Northamptonshire (Mr. Hunt) said that officers in regiments were compelled to pay over-regulation money; but he demurred altogether to that statement. He knew from personal and practical experience that such was not the fact. The right hon. Baronet (Sir George Grey) had also stated that it would be impossible for an officer to remain in a regiment if he did not give the over-regulation money, and that the position of an officer under those circumstances would be intolerable. He could again state from personal and practical experience that that was not the case. The officers of a regiment did not form their estimate of a brother officer by the amount of money he might have. Officers' names were returned for purchase; they remained on the purchase list; and they did purchase their promotion for the regulation price, retaining the same good opinion of their brother officers as men who paid any amount they liked of over-regulation money. That question was one of considerable delicacy and difficulty, but the Government had entirely brought it on themselves and the country. Had they let the purchase system alone, the difficulty, such as it was, would not have arisen. Let them go on with the re-organization of the Army—and undoubtedly it required to be re-organized, and to a certain extent re-modelled, as far as the body of the Army was concerned—but as far as regarded the officers, he did not believe that any fault whatever could be found with their conduct or position, and he did not understand that the officers themselves sought for any alteration. The purchase system was working well, and why could not the matter have been left alone? He had opposed the Bill from the commencement, and should continue to do so, because he could see no improvement that it was likely to effect. It had been alleged that hon. Members sitting on the Opposition side of the House were seeking to legalize these over-regulation prices, and thus to confer an advantage upon the officers at the expense of the country, but he denied altogether the truth of that allegation. He and those who sat near him disliked the Bill of Her Majesty's Government, upon whom the odium must rest of throwing the burden of paying these over-regulation prices, to which he must again say that the officers had neither a legal nor a just title upon the country.

COLONEL STUART KNOX said, that although he intended to vote with the Government upon this point, he must express his surprise that none of the occupants of the Treasury bench had thought it worth their while to answer the remarks that had fallen from the hon. and learned Member for Oxford (Mr. V. Harcourt) who had shortly before addressed the Committee. He wished it to be distinctly understood that hon. Members connected with the Army did not act as a body against the Government with respect to this measure, but that they merely adopted that course which appeared to them honest and right in the matter. In reply to the assertion of the hon. Member for Glasgow (Mr. Anderson), that officers being interested parties had no right to take part in this discussion, he must remind the hon. Member that of all those hon. Members connected with the Army who had spoken upon this Bill, only two were on full-pay, the rest being general officers, who would be unaffected by it, and those who had retired from the service. Should the Bill ever unfortunately become law, officers felt that it would be their duty to carry it into effect to the best of their ability. In answer to the observation made by the hon. and gallant Member for Truro (Captain Vivian) the other night, that the bulk of the officers of the Army were in favour of the Bill, be begged to call the attention of the right hon. Gentleman the Secretary of State for War to a letter which had appeared in *The Times* of that morning, in which the following compromises were offered to the Government on their behalf:—

> "No. 1. To those officers who wished to accept the present Government proposal, the proposal of the Government as it stood. No. 2. To infantry of the Line and purchase officers who might so elect, regulation money down in lieu of all other claims. And No. 3. To officers of cavalry and Guards, a commuted sum in lieu of all claims, calculated on the same scale of loss as was offered under No. 2."

The letter went on to say—

> "The Government asserts (we hold without foundation) that their scheme is approved by the bulk of the officers of the Army; but, if this be the honest expression of their opinion, why not accept the compromise offered, as if the officers of the Army do prefer the Government proposal as stated, they will immediately all accept it, while those who do not will be satisfied, and the country will have a contented instead of a discontented body of officers."

The Government might be able to force the Bill through the House, but it would be most unsatisfactory if the result of this exhibition of strength was to convert the officers into a discontented body of men. The hon. Member for Warrington (Mr. Rylands) had said that the rejection of this Bill would not be an unmitigated misfortune, inasmuch as an agitation would be forthwith got up in favour of the Bill throughout the country. For his part, he should not regret such an agitation, because he believed that the better acquainted the public became with the Bill, the more certain would be their rejection of it. He trusted that the rumour that had reached him was true, and that the right hon. Gentleman the Secretary of State for War would see fit to propose some terms of compromise, such as those contained in the letter he had read from *The Times.* The hon. Member for Warrington and the hon. and learned Member for Oxford (Mr. V. Harcourt) had urged the importance of doing nothing that would sanction a breach of the law, but did not they support the Bill for legalizing marriage with a deceased wife's sister, which, if it had passed, would have had a retrospective effect, and have sanctioned a breach of the law in every case where such marriages had been contracted?

Mr. SINCLAIR AYTOUN said, he could not understand on what principle officers were to be compensated for the over-regulation prices they had paid. The speech of the right hon Baronet the Member for Morpeth (Sir George Grey) had strengthened instead of weakened the impression with which he had come to the House — that officers were not entitled to the over-regulation price. That right hon. Baronet stated to the House—and no one was better entitled to speak on the subject, because he had been a Member of the Royal Commission which was appointed to inquire into the question of purchase—that though over-regulation prices had never been legally recognized, yet that the military and civil authorities had shut their eyes to the fact that that system existed, and, therefore, in abolishing the system of purchase, it would only be doing justice to the officers to compensate them for the over-regulation prices they had paid on the purchase of their commissions. He (Mr. Aytoun) thought if the House adopted the right hon. Baronet's suggestion, it would establish a most mischievous principle—namely, that wherever a vicious system, such as over-regulation price, had been acknowledged not by the House but by the Executive Government, it was the duty of the

House to make good those claims which had been created in direct defiance of the law. He would vote for the Amendment of the hon. Member for Warrington (Mr. Rylands) because he believed it would lead to other improvements in the scheme of the Government. Though believing that the mode in which the opposition to the measure had been conducted by hon. Gentlemen on the other side was most reprehensible, still he held that no one had thrown greater difficulties in the way of the passing of the Bill than the Government themselves. It was his desire to see the purchase clauses of the measure passed without further delay, because he believed they would produce a useful and much-needed reform; but he considered that the rest of the Bill was thoroughly worthless. He could not imagine a more unskilful and useless Bill. If the Government had yielded to the advice of hon. Members on their own side of the House, the difficulties in the way of the passing of the Bill might have been removed, but they had persistently maintained their determination to provide for the expense of the abolition of purchase out of the current revenue of the year. He believed that if the Amendment was carried, one consequence would be that the whole of the regulation money would be paid down at once to every officer, and it would then have to be raised either by loan or by loans extending over a series of years; and in that way it would import an element of uncertainty into the Budgets of future years, which, with a little care, might have been easily avoided.

Mr. WHITE said, that although he had hitherto uniformly supported the Government in the divisions on this Bill, he could not do so on the present occasion. If the scheme of the Government had been received with the respect and gratitude to which it was entitled from the hon. Members who professed to represent the interests of those pecuniarily affected by the proposed legislation, to save precious time, and to promote harmony, it might, perhaps, have been held expedient by Ministers, to agree to pay over-regulation rates; although such payments were now illegal, and, moreover, liberal in excess. But, having regard to the rancorous opposition this Bill had encountered—despite its liberality—he was driven to the conclusion that the Amendment of his hon. Friend the Member for Warrington (Mr. Rylands), ought, in common justice, to be now accepted by the Committee. It was painful to reflect that the class which ought to have most implicitly obeyed was that very class which had continuously and persistently violated the law. He had carefully investigated this question, and found that the first regulations were framed in 1719-20, with a view to prevent the introduction of a system of paying more than the prices fixed by the Crown for commissions in the Army. In 1766 a Royal Warrant was issued, with an express prohibition of the payment of any sum in excess of the regulation price. Subsequent Royal Warrants—in 1772 and 1773—when approving of alterations in the price of commissions, confirmed such prohibition in similar terms. In 1783 a General Order of the Commander-in-Chief was issued, to enforce by more stringent rules the previous prohibition contained in the Royal Warrants against paying any sum above the fixed price of commissions. In 1786 a Circular letter of the Secretary for War to the same effect was sent out. In 1804 two Circulars of the Commander-in-Chief declared that officers found giving directly, or indirectly, anything beyond the regulation price would be dismissed the service. In 1807 the prohibition, previously resting on Royal Warrants, was confirmed by an Act of Parliament, and inserted in the Mutiny Act of that year. A clause to the like effect had been inserted in every annual Mutiny Act from that date to the present time. It is Clause 78 of the Mutiny Act, passed this Session, which prohibits trafficking in Commissions, with severe penalties for paying or receiving any money or consideration exceeding Her Majesty's regulation. It was in 1809 that the Act 49 *Geo.* III., c. 126, was passed, which is still in force. By the 4th section of that Act, it was made a misdemeanour, so rendering liable to two years' imprisonment for anyone who may sell or buy, bargain, or agree to sell or buy, a commission, or any nomination thereto, or resignation thereof, except at such prices, and in conformity with regulations. In 1855 the Lord Chief Baron of the Exchequer Court (Sir Frederick Pollock) ruled that the before-named Act pronounced not only the sale, but the resignation, or the procuring the resignation, of any officer to be illegal. In 1862, Sir William Erle, presiding in the Court of Common Pleas, concurred in that construction of the Act. Last year the Royal Commission, appointed to inquire into over-regulation payments on promotion in the Army, reported thus—

> "We do not find that the practice of paying over-regulation rate has received any formal or official sanction."

The Royal Commissioners also pointed out that one of the chief incidents of the practice was—

> "The habitual violation of the law, supported by long-established custom, and unchecked by any authority."

And His Royal Highness the Field Marshal Commanding-in-Chief, in his evidence before the Select Committee on Military Organization in 1859, said that there was no doubt of the illegality of selling commissions beyond the regulated prices, and that if such a practice were ever brought to his notice, he should treat it as an illegal matter. Moreover, His Royal Highness the Duke of Cambridge wrote during the same year, in answer to an inquiry of the Secretary of State for War, that the provisions of the Act 49 *Geo.* III., c. 126, were as stringent as could be desired; and that he would carry them into effect in any case where an infringement should be brought to his knowlege. And yet we found that they who were the makers were the habitual breakers of the law. He (Mr. White) would now ask who could estimate the magnitude of the loss inflicted on those interested in posting houses, inns, &c., along the lines of our magnificent roads, which, before the introduction of railways, were, indeed, the envy and admiration of the world. When innkeepers and so many others were beggared by the great and beneficial change, which occurred when stage coaches were superseded by railways, was any compensation given to them? None whatever. They were neither peers, priests, nor officers, and yet their investments were made in compliance with the law—the investments of our officers were in defiance of the law, as all admitted—and yet they were now asked to more than compensate them. If they did so, would not the public out-of-doors consider that there was one law for the rich and another for the poor? He contended that it would be most unjust and impolitic to pay the over-regulation-price—quite £3,000,000—to persons acknowledged to have been guilty of an infraction of the statute law of the realm.

MR. TIPPING said, he was surprised at the *naïveté* of the hon. Gentleman who had just sat down (Mr. White), who seemed to have draped himself in the mantle of the late Mr. Cobden, and to have thrust his arms into the sleeves of Joseph Hume, in quoting as he had done the reports of various officers as to the illegality of over-regulation prices, when very probably almost every one of them had paid those prices for the promotion of their own sons. Those officers must be regarded as writing their reports in an official sense, and their statements must be taken in a Pickwickian point of view. He must, therefore, express his astonishment that the hon. Gentleman should interpret them *de rigeur*. There was, in his opinion, a very wide difference between the action of a Court of Law and that of Parliament. Parliament was omnipotent, and was bound to be generous. Omnipotence ought always to be accompanied by liberality; and it was but right that the case of men who, after all, had done nothing more than adapt themselves to a system at which Parliament had connived, should be met in a fair and equitable spirit. He recollected that on a former occasion his hon. Friend the Member for Warrington (Mr. Rylands) had alluded to some statements which were contained in *Reynolds's Newspaper*, of which he believed it was no libel to say that it represented the opinions of the commune of London, or something like them, in support of the views which he then advocated; but for his own part, he did not think that House ought to defer to the democratic sentiment so far as to deal illiberally with the officers of our Army. To make them now the victims of the omnipotence of Parliament would, he thought, be even worse than legalizing what was called a misdemeanour.

MR. GOURLEY said, he believed that over-regulation prices had been given *sub rosâ* by adjutants of Militia and by officers of the higher ranks of Volunteers. He had heard of a case in which as much as £3,000 had been given for one of the former commissions. The Horse Guards had, however, put its veto upon the bargain, with unfortunate consequences to both the officers concerned in the transaction. With regard to the Volunteer service, he knew of one instance, at least, in which an officer had paid £500 for the post of commanding officer. If it were right in principle to pay over-regulation prices to officers of the Regular Army, it was equally just to recoup the officers who had paid for their commissions in the Militia and Volunteers. He had hitherto held that it would be wiser on the part of the Government to recoup the regulation prices at once in some form or other, and to pay nothing for over-regulation prices. It would be more satisfactory not only to the House, but to the supporters of the Government, if the War Office would re-consider its policy in reference to the purchase system, and adopt a scheme for the simple payment of regulation prices at once. Under the plan now proposed there would be young men who had paid nothing for their first commissions placed alongside of others who had paid large sums, and the latter could not but be dissatisfied. It was said that these officers might leave the service and obtain their money back; but it would be suicidal policy on their part to seek another profession after spending many years in the Army. The Government ought to get rid of the purchase system once and for ever by paying down the regular price of commissions. The country, if appealed to, would never acquiesce in the payment of over-regulation prices; and he could not conceive how, as law-makers, this House could adopt a policy which was contrary to the existing law. Purchase was the monopoly of the rich to the detriment of the poorer officers in the Army, and he did not believe that its abolition was contrary to the wishes of the majority of the officers. Believing that if the purchase system was a bad one, it was better to get rid of it for a fixed sum instead of keeping it hanging over us, he should support the Amendment.

Mr. M. CHAMBERS said, for many years it had been the practice to pay over-regulation prices, and this system was perfectly well known, if even it was not acknowledged and encouraged by the military authorities. When, therefore, hon. Members said to officers—"We will not pay these over-regulation prices because you have been violating the law," his reply was, that, in substance, the military law, as regulated and interpreted by custom, had not been violated. There was a time when officers had to give their word of honour that they had not paid or taken more than the regulation price; but many years ago, finding it to be obstructive, the authorities abolished that regulation. That, he contended, was the commencement of sanctioning or inviting men to give the over-regulation money; and the result had been that not only officers, but also mercantile men, and those who were wealthy or possessed but limited means, who bought commissions for their relations or friends, did not hesitate to violate the law. He did not say that the hon. Member for Warrington (Mr. Rylands) was one of the number, but there were many manufacturers who would confess that they had bought commissions at the price that was demanded; yet those strait-laced gentlemen rose in the House of Commons to say that that was a violation of the law, which—some of his learned Friends would add—might have rendered them liable to indictment. The Committee were now called upon to determine a question about the violation of the law at a time when that law was about to be altered, the Government having arrived at the conviction that the purchase system was bad and having resolved to abolish it. How had the present state of things been brought about? By encouraging the payment of over-regulation prices, and for the Government to refuse to repay that money would be gross injustice. This was not a subject that affected either rich or poor men; it rather concerned those whose relatives had been called upon to contribute towards the over-regulation money, and the question for the Committee to decide was whether that sum should be lost to them. Any commercial man who considered this matter calmly, and without reference to the expense that would be incurred, would say that the proper course to adopt was to return the over-regulation money. He, therefore, could not concur in the Motion of the hon. Member for Warrington, nor did he agree with the reasoning of the hon. and learned Member for Oxford (Mr. V. Harcourt), whose speech was legal and technical, but not founded on generous or equitable considerations. A proposition had been made to pay the regulation prices down, leaving to the officers their rank in the Army; but that did not meet the difficulty, since a man of high spirit and military propensities purchased a commission, not as a trade speculation which would return him a percentage of interest on his outlay, but as a means of entering an enterprizing and honourable profession, and of mixing with a certain class of society. If he relinquished that profession and went into trade he must make a sacrifice of his prospects as a military man, and of some social advantages, and it was in this respect that a great mistake was made by the trading community. He was opposed to at once paying down their money to purchase officers, because that would place them in a better position than they were entitled to hold; but, if the Bill were to pass, the Government could not avoid paying the over-regulation prices. One point struck him as material. The principle of the Bill was that no money should pass between officers, either upon exchanges or otherwise. But suppose an officer of dragoons and an officer of the Line wished to exchange—was not the former entitled to say that his commission was more valuable than that in the Line regiment, and was the latter to be prevented from paying the difference in the value? The same question would arise upon an exchange between the lieutenant colonel of a Line regiment and a captain and lieutenant colonel in the Guards. If such exchanges were disallowed or abolished it would not be for the benefit of the service. The fact was, that the further the Committee proceeded in the purchase clauses of the Bill the greater were the difficulties they got into; and to this hour they did not know how much this change would cost the country. It was not unworthy of consideration therefore whether these clauses might not be struck out or postponed, and the other parts of the Bill for the regulation of the Army be at once and more advantageously proceeded with.

Mr. O'REILLY said, that after considering the whole subject carefully, he had come to the conclusion that he could not vote for the Amendment. The question was, had the country, by the recognition of anybody competent to bind it, become bound to pay those over-regulation prices? He agreed with the hon. and learned Gentleman (Mr. V. Harcourt) that by no act or negligence could either the Executive or the authorities of the Horse Guards bind the country; but the House of Commons might do so by means of declarations made by official authority in it. On reference to the debates in 1824, quoted in the Report of the Commission presided over by the right hon. Gentleman (Sir George Grey), he found nothing there to sanction the practice of over-regulation payments on account of the withdrawal of the declaration by officers; but, on the contrary, every sentiment expressed therein distinctly ignored it. At a later period, however, he feared the country had been compromised by statements made in that House and unchallenged; from that he considered the Committee justified in accepting the proposal of the Government to pay over-regulation prices. If purchase should not be abolished this year neither the Government nor the House of Commons would be able to plead ignorance of over-regulation money, and it would become their duty not to recognize it from that date. But another practice existed contrary to the Queen's Regulations, which was not only notorious, but recognized by the authorities. The Queen's Regulations distinctly forbad exchange between officers on half-pay and officers on full-pay, except by a recognized plan, which required a list of each class desiring to exchange to be kept at the Horse Guards, and provided that the two first on the list should exchange; but it was well known that private arrangements were constantly made for exchanges of this description, and he knew of one instance in which the Military Secretary had informed an officer that there was no chance of his coming on full-pay unless he exchanged by private arrangement. The time had, however, come at last when Her Majesty's Ministers had thought it their duty to introduce a measure on the subject, and he thought the House was bound to assist them in their efforts to put a check to an illegal practice.

Mr. HENLEY said, the issue before the Committee appeared to be, on the first blush of it, one of a very simple character. The hon. and learned Member for the City of Oxford (Mr. V. Harcourt) had laid it down that no Executive power in the country could abrogate an Act of Parliament. Now, no one could assent to that statement more readily than he (Mr. Henley). They had heard that under this system large sums of money had been saved to the ratepayers. He was as anxious as any man to save the money of the ratepayers, and he believed that the ratepayers themselves had a strong feeling in the same direction. But he believed that they had a still stronger feeling in another direction, and that was to do justice to all parties. He could not believe that the Government would have introduced this proposal if they did not feel compelled, after a full investigation of the case, to do so. All Governments were naturally anxious to save the public money, and to carry out any object they had in view at as little cost to the country as possible. But, looking at the whole circumstances of this case, he believed that the Government felt themselves compelled, by a sense of justice, to do as they had done. Let them just look at the circumstances of this case. He did not think that he was very far wrong in saying, whatever the law was upon this question, that during two generations of officers, at least, the law had not been enforced. Indeed, he felt he might have put the matter much further than that. But since that case which came before the public some 40 years ago, in which the late Lord Cardigan, having come to some grief in a military affair, paid a fabulous price to Colonel Childers, in India, for a commission in the Army, it was impossible for any mother's son in or out of that House to say that they were not perfectly cognizant of the practice, whilst holding their tongues against this breach of the law—if breach it was. But that was not all. Why did the several Governments that had subsequently existed withhold all their virtuous indignation against this alleged breach of the law? Simply because they obtained a benefit by it. Could any man say that during the last 40 years, if there had been no over-regulation price to induce officers at a certain age to quit the Army, that the cost of the Army would not have been infinitely greater than it was? It was impossible for him to go into a mass of figures at that moment; but when they looked into the Army Estimates, even in the rough way in which they had been given, they must come to the conclusion that the cost of retirement of officers from the artillery and the Army under such circumstances would have been about 50 per cent greater than it really was. There could be no doubt of the fact that they had all held their tongues upon this breach of the law—if breach it was—because it was putting money into their pockets. He believed that a skilful accountant would be able to make out a statement showing that since the French War, if they had stopped promotion by the means then practised, this country would have been a gainer instead of a loser. He asked the Committee, then, to go one step further. They were now asked to make a great change in the military system of the country. Was it honest—having shut their eyes to the fact of the existence of this practice for a period of 40 or 50 years, and having gained a considerable advantage from it—to say now that they would not pay for it? He was as anxious as any man to save the amount of money which this proposal would cost if he could do so honestly; but he confessed that he could not see it in that light. These were reasons—not military ones—why he thought it would not be honest if the Government had not proposed to do that which they had done. Although he could not support the general policy of the Government, he could not, as an honest man, avoid saying that he believed they were now only doing what was just, and believing so he should vote against the Amendment.

Mr. HEADLAM said, it was a mistake to suppose this Amendment was the same as that moved a short time since by the hon. Member for Birmingham (Mr. Muntz). Many who voted against the latter would vote for this, and he (Mr. Headlam), who voted with the hon. Member for Birmingham, purposed voting against the Amendment under discussion. It had been asked why the House should sanction the payment of £3,000,000 to men who had, to some extent, violated the law. The answer was that the House and the country had sanctioned a certain method of promotion, which as an almost necessary consequence gave rise to the over-regulation prices. As was justly remarked by the right hon. Gentleman opposite

(Mr. Henley) the country had benefited by this system of promotion, and if the Government intended to alter it immediately and summarily they must, in justice and honour, if not in law, repay the officers all the money they had expended. He did not exactly agree with the Government in the course they had taken, as he thought there was no necessity for abolishing the practice of buying out superior officers. If, however, it were expedient to abolish the practice, it could only be done by the introduction of a system of selection, which, in his judgment, was not worth the money; and when done, they were bound in honour to compensate whoever might be injured by the change.

COLONEL ANSON said, he must regret extremely, for various reasons, that a discussion on the propriety of paying over-regulation prices should have been raised in a formal manner in the House of Commons. He was far, indeed, from blaming his hon. Friend the Member for Warrington (Mr. Rylands) for raising the question; but he certainly thought Her Majesty's Government were open to censure for having allowed it to be raised. If anyone who thoroughly understood the purchase question had been called upon to draw up a Bill on the subject, he might have done so without ever mentioning over-regulation prices. In such a case, however, the Government would have been compelled to state the whole of their scheme of retirement. Some of the hon. Speakers in that debate had wandered from the actual point under discussion, the chief offender in that respect being his hon. and learned Friend the Member for Oxford (Mr. V. Harcourt), who, in the first place, wanted to know why the clerks in the Foreign Office should not buy out Mr. Hammond; and next, why the Solicitor General should not buy out the Attorney General, and so on. The answer was simple. There was a great difference between civil and military employment. It was comparatively unimportant whether men engaged in civil employments were in the prime of life and possessed of great physical power; but it was highly important that officers in the Army, who had to serve in all climates, should be young men with good physical constitutions. Now, in order to keep up a supply of young and physically efficient officers, and to avoid at the same time a great increase of expense, the country had taught the officers the principle of buying and selling commissions. It was the House of Commons who taught the officers of the Army to buy and sell commissions. The country having told them that a company was worth £1,800 they naturally thought there would be very little difference between the criminality of paying £1,900 and paying £1,800. Over-regulation prices might be regarded from a moral and a pecuniary point of view, and he must say the latter had been carefully omitted by those who had spoken against their payment. Considering the large pecuniary benefits the country had derived from the payment of over-regulation prices, it was a somewhat Pecksniffian proceeding for hon. Members to take a high moral tone and denounce officers for having carried out such a practice. If there had not been connivance, in the legal sense attributed to the word by the hon. and learned Member for Oxford, the practice had been tacitly encouraged by the Horse Guards, the War Office, the Treasury, the Home Office, and the House of Commons. To begin with the House of Commons, every hon. Member was cognizant of the practice, and yet no one had called upon the Executive to enforce the law. The question was, indeed, raised in the House of Commons in 1824; but after the debate on that occasion the Government withdrew the declaration, which was the only means they had of preventing the payment of over-regulation prices. In the Report of the late Royal Commission, it was stated that the subject of their inquiry had come under the notice of other Commissions and Select Committees of the House of Commons; and in a Note they referred to the Reports of the Select Committees on Army and Navy Appointments, 1833; on Naval and Military Promotion and Retirement, 1840; the Report of the Commission on the Purchase and Sale of Commissions, 1857; and the Reports of the Select Committee on Military Organization, 1860, and of the Committees on Military Reserve Funds in 1867 and 1868. Why, then, did not hon. Gentlemen long ago compel the Government to put the law in action? Again, the practice of paying over-regulation prices had been recognized by the Treasury. In 1860 the Treasury had a correspondence with the War Department, when the Lords Commissioners said they could not consent to lower the regulation prices of commissions, because they were afraid the over-regulation prices would increase to the detriment of the officers of the Army. A similar recognition was made on various occasions by the War Office and the Home Office. In 1834 the War Office wrote to the Home Office respecting a case in which £300 above the regulation price had been paid. The punishment awarded by the War Office in the case of the purchaser was to deprive him of one year's rank by antedating his commission; but in the case of the seller, who had become adjutant of a Militia regiment, the result of a reference to the Lord Lieutenant was the suggestion whether, if the adjutant applied for the brevet rank of captain it would not be proper to decline appointing him to the rank "at present." This was all the punishment administered at the time for what was called a direct violation of the law. The Duke of Wellington, whose opinion was somewhat disparaged now, wrote a Memorandum for the Committee of 1833, in which he said that consideration ought to be given in the cases of officers who had paid more than regulation prices, of whom there had been hundreds of instances; and he added that he knew one who had paid £6,000 for a lieutenant-colonelcy, who had received the Order of the Bath for his services, and who was surely entitled to a return of the money he had expended in order to put himself in a position to render them. He had shown that the practice of paying over-regulation prices had been sanctioned and connived at morally, if not in the strictly legal sense of the term, by the House of Commons, by the War Office, and by all their great men, and no attempt had ever been made by the House of Commons to enforce the law on the subject. The hon. and learned Member for Oxford (Mr. V. Harcourt) said it was monstrous that the House of Commons should be asked to legalize an illegal act; but only six weeks ago it passed a retrospective Bill to legalize marriage with a deceased wife's sister, so that the objection to retrospective legislation entirely fell to the ground. It was admitted that if the Government had received over-regulation prices, that would establish a case for officers receiving them under the Government scheme; and although, strictly speaking, it might be said that the Government had never received what might be called over-regulation prices, still they had received a profit, which amounted to the same thing, for many a time they had bought a commission for £1,200 and sold it for £1,800, thereby receiving an over-regulation price of £600. He believed the House of Commons was as implicated in this system as were the officers of the Army; the Departments of the Government had been fully cognizant of these transactions; not a single attempt had been made to put a stop to them; and therefore it was absurd to say that over-regulation prices ought not to be paid because they were illegal. The officers of the Army, on entering it, found the system in existence; they found that their predecessors had fallen in with it as a custom of the service; they found that it was known to the House of Commons, and that it was sanctioned by almost every Department of the public service; and, therefore, they argued in the same way as the Indian Government argued with regard to over-regulation prices and the bonus system in India. The bonus system had long been the rule in India; there had been stringent regulations against officers contributing to the bonus fund; the Indian Government knew the prevailing practice and had the power to stop it, but they knew that it was beneficial to the State, and they therefore said that so long as it was not detrimental to the efficiency of the service, and did not increase its cost, they would allow the law to remain in abeyance. This was what the Government of this country had done; and when it became necessary to destroy the Indian Army the money was paid at once, with certain commutations. The real reason why the Executive power here had never put in force the law against over-regulation prices was, that if they had done so they would have had to come to the House of Commons for large Votes every year to maintain a proper flow of promotion and retirement. Up to the present time the officers had effected that for them, and they had not realized a necessity which had been carefully kept out of sight during the debates of this Session; but they would have to face it, and then they would know what was the cost of the abolition of purchase. They could not, however, ignore the fact that for the last 50 years the officers of the Army had maintained a rapid flow of promotion, insuring in all ranks of the service officers fit for their work, at their own expense. The State had hardly contributed a sixpence towards an expense which ought to have fallen upon it, and which would have done so had it not been for the purchase system. After the State had benefited for years by the payment of these over-regulation prices by one officer to another, it would be a scandal and a disgrace if the House of Commons, when making a great change on a paltry pretext and a legal quibble, wronged or ruined a number of men who had done their duty, simply because they had happened to offend the moral feelings of some hon. Members. He was too fond of the British Army to oppose the Bill merely for the sake of pounds, shilling, and pence; but, sooner than let it pass as it stood, he would accept the Amendment of the hon. Member for Birmingham (Mr. Muntz) for the abolition of over-regulation, without paying a single sixpence down to the officers. He would sooner see a Royal Warrant disbanding the British Army to-morrow, without a single sixpence of compensation being given to officers, than he would see the Bill of the Government pass, because it was better to disband a discontented body of men than to have a discontented body of armed men. It was not the slightest use abolishing purchase in the Army if they were going to leave behind it moral and justifiable ground for great and deep discontent; it would be far cheaper to do away with the Army altogether; and he would strongly recommend the hon. Mover of the Amendment, instead of pressing it, to move a Resolution to disband the British Army. With regard to the opposition to this Bill, he would say one word—he would continue to oppose the Bill on every stage and by every possible means, for this reason: they could not discuss honestly and fairly any one of the propositions laid before the House until they knew what was to be the future scheme of promotion and retirement. That was the very groundwork of their opposition. One word as to threats. The hon. Member for Warrington (Mr. Rylands) and one or two others had used threats. He thought he might fairly say they were the wrong men to be frightened by a threat. Threats of depriving the officers of the Army of the over-regulation price of their commissions next year were mere waste of breath. Cavalry officers, who were so largely interested in the Bill, had distinctly told him not to care about their pecuniary interests, or to heed threats, but to oppose the Bill at any risk. Most officers felt as he did himself—that once this question was raised by a large party in the State it perhaps was as well for the discipline of the Army that it should be settled at once. But, he repeated, they ought to understand the Government scheme, and realize the expenditure the Bill would entail.

SIR JOHN HAY said, he wished to explain the vote he was about to give. He was going to vote for the Motion of the hon. Member for Warrington (Mr. Rylands), to whose Amendment he agreed, though he dissented from his speech. He (Sir John Hay) felt that the whole of this expenditure was unjustifiable, and he thought it was quite wrong to spend £11,000,000 in abolishing purchase. It was, under any circumstances, not desirable to abolish the purchase system, which was the best mode of securing promotion ever adopted in any force. Still less desirable was its abolition when it would cost £11,000,000. He objected to the enormous expenditure for retirement, which in some shape or form must be adopted, and that being so he could not conscientiously vote for the outlay of £4,000,000 involved in rejecting the Motion before the Committee. He was about to take this course, though he felt that there were good reasons why, on the abolition of purchase, the over-regulation paid should be re-paid to the officers. But he desired to save as much as possible for the country, while hoping that, either in that House or "elsewhere," the Bill would be prevented from becoming law.

MR. CARDWELL: The hon. and gallant Member for Bewdley (Colonel Anson) has repeated to-night a phrase which he used on a former occasion, or at least one to the same effect. He says we are about to have a discontented body of armed men, and he has coupled the expression with the statement that he now is in favour of the abolition of the purchase system. On a former occasion he told us that one of the great advantages of purchase was that in the purchase price of the commission you had a guarantee for the loyalty of the officers. Sir, I say these are phrases which ought not to fall from any man. In the early part of this evening we had a speech from an officer as gallant and as distinguished as the hon. and gallant Member for Bewdley. My hon. and gallant Friend (Colonel Loyd Lindsay) has not been converted to the side of the abolition of the purchase system. He adheres to the principles with which he began the discussion as firmly as ever. But what did he say to-night? He said he wished these discussions to terminate, the sense of the House having been taken, and he assured me that if this measure passed—as after the determination of the House no doubt it will pass—we may rely on the cordial support of himself and his gallant brethren to bring it into working order. Sir, these are not only just and generous sentiments; but they are, I am persuaded, the sentiments of the British Army. My right hon. and gallant Friend the Surveyor General, and my hon. and gallant Friend the Financial Secretary, both of whom have ample means of knowing what are the sentiments of the Army, do not believe that the Army entertain such feelings with regard to this measure as are experienced by the hon. and gallant Member for Bewdley. We have been told over and over again that, as far as the proposals themselves are concerned, this is a liberal, and fair, and generous measure. But, Sir, I say that whether you like the Bill, or whether you dislike it, whether you are an advocate of the purchase system, or in favour of its abolition, it is not just, and it is not true, to speak of the British Army as of men whose loyalty depends upon the price of their commissions, or as of men who are capable of becoming a discontented body of armed men dangerous to the State. I say, Sir, that for the hon. and gallant Member for Bewdley to talk about threats after the language he has himself used, and especially the threat he has uttered that we are to be subjected to a discontented body of armed men if we did not accept his proposals and follow in his footsteps, is somewhat strange. He is the last man who ought to get up and protest against these debates being leavened with anything like threats. When he does so, I cannot but remember a fable we have all read in Æsop, where one animal accuses another of disturbing the water—a fable which I think has received a remarkable illustration in the speech of the hon. and gallant Member. We have heard something in the shape of novelty to-night, which is an agreeable circumstance to many of us who have had to listen to the course of these debates. In the first place, we have had a real debate, and have been discussing a practical question, and I have had an agreeable sensation of novelty. I have discovered long ago that whoever fills the position I have the honour to occupy must attend to the good military principle of guarding both his flanks. He is sure to be attacked, but on which side he scarcely ever knows; and, consequently, when the hon. Member for Warrington (Mr. Rylands) informed me that I brought in a measure which he could not call a compromise with the officers, and could only characterize as a capitulation, I was not surprised, but, on the contrary, felt some hope that hon. Gentlemen, with whom I have been contending for so many weeks, might be disposed in consequence to take a more charitable view than they had hitherto done. What is the real question before us? It has been stated with great ability by my hon. Friend the Member for Warrington and my hon. and learned Friend the Member for Oxford (Mr. V. Harcourt). They have said—"You are inviting the House of Commons to do what has never been done before in the history of this country. You are inviting them, at a large cost of public money, to compensate men for a general and habitual violation of law." Being of the legal profession myself, I own I feel the force of that argument, and am not disposed to treat it as one that can be set aside easily, or dealt with otherwise than by grappling fairly with it. In order to solve the question fairly, we must look and consider how it has really arisen—and ask ourselves whether in substance, as well as in words, this law which is appealed to has been the law of this land for a long time. That is a question which requires to be examined rather historically than legally. Independently of the question connected with the late great war in Europe, and that of re-organization of the Army, which rendered necessary in the opinion of the Government the abolition of purchase, we had last year a debate which precipitated the solution of this question of the over-regulation price. My right hon. Friend the Member for Droitwich (Sir John Pakington), who preceded me in the office I have the honour to hold, submitted to the Queen the propriety of abolishing the ranks of cornet and ensign in the Army; but he had not time to complete his scheme, and he bequeathed its consideration to his successor. I, as such, endeavoured to solve the problem, and in the course of it I had to deal with a certain number of commissions in the Army. I had respect for the Act of Parliament which prohibited the over-regulation price, and I came down to the House to ask for a grant of public money in compensation of the regulation price alone, and conferring upon the whole, as I agreed with my right hon. Friend in thinking, a considerable advantage upon the officers of the Army. But I ignored altogether the over-regulation price, because you cannot ask the House of Commons to vote a sum of money in satisfaction of that which is strictly prohibited by statute law, and you must bring forward the question as we have brought it forward, in the shape of a Bill to be considered by the entire Legislature. Did the House of Commons on that occasion take the view that you could ignore the over-regulation price? Nothing more discouraging than the response I met with could possibly be imagined. Therefore, so far as the sentiment of the House of Commons at that moment was concerned, they were not prepared to ignore the over-regulation price. But we appointed a Royal Commission, consisting of eminent men from both sides of the House, and presided over by the right hon. Baronet the Member for Morpeth (Sir George Grey). The results of their labours are before us in the Blue Book. It has been questioned whether they recommended anything about the over-regulation price. They were not invited to recommend anything about abolition of purchase, and they did not do so; but about the recognition of the over-regulation price they speak most decidedly. They say, in a remarkable passage, to which the right hon. Member for North Northamptonshire has already referred,

> "Where one man has something of value to sell which can legally be sold, and another man is desirous of purchasing it, an opportunity being afforded them of coming to a mutual understanding, it has been found useless to prescribe by law or regulation the precise terms by which the sale is to be effected."

Therefore it follows, and they have so reported, that if you are to get rid of the over-regulation price you must get rid of the regulation price, or in other words deal at once with the whole question of purchase. Upon what did they base their opinion that the over-regulation price ought to be recognized, and that, in dealing with the question of purchase, you must take into account this over-regulation price? They do not deny that the statute law has been as emphatically and decidedly opposed to this over-regulation price as it is possible for a law to be, but they say that, not having been in operation, it has not been really and substantially a law to the service and the country. And then they give evidence of this. The hon. and gallant Member for Bewdley says this question of the over-regulation price originated in the House of Commons. I do not think that is historically true. I have looked carefully through the Report of this Commission, and I find that there are in existence clear evidences that all the Sovereigns, from Charles II. to George I., objected to the practice of unregulated prices. William III. not only prohibited all sales, but inserted in the Mutiny Act an obligation on oath to the effect that an officer had not taken part in any pecuniary transaction with respect to his commission. In the time of Queen Anne it was first again permitted, and in the time of George I. regulated prices were first introduced. And then we have a long list of efforts which have been made from time to time to limit, and curtail, and correct this system of over-regulation prices. And so it goes on until the Act of 1809 was passed, containing the stringent prohibitions with which we are so well acquainted. But what has been the course with regard to the administration of this law since that time? We have been told, and truly, that every year we put into the Mutiny Act—and I believe we have put into it this year—a repeatedly renewed prohibition. What has been the case with regard to its enforcement? The Commission say—

> "If by recognition is to be understood express sanction or approval, we have at once to say that we do not find that the practice has received any formal or official recognition."

And then they add—

> "We cannot limit our view to this narrow sense of the term recognition, having been unable to ascertain a single case in which an attempt has been made to enforce the provisions of the Act," &c.

They repeat a certain number of very remarkable cases. They say that the Duke of Wellington, in the year 1833, laid before a Committee of this House the amount of over-regulation price which an officer had paid for his commission as a consideration why he should be more favourably treated in respect of his emoluments than if he had not paid it. They gave the only two cases in which there had been rigour exercised by the Commander-in-Chief, and they say of those cases—

> "The officers likely to incur serious displeasure were those who, in addition to a breach of the regulations, failed to fulfil the engagements of honour which involved a violation of the law."

That is to say, it was not the breach of the Act of Parliament, but the failing to do that which in defiance of the Act they had promised to do which brought down the censure of the authorities. They then quote Sir George Brown, who had long been Adjutant General at the Horse Guards, and who, being examined before the Royal Commission, said—

> "There is no law against it now; they never enforce the certificate now."

That was the certificate which the officer used to sign declaring upon his honour that he had not paid for his commission. They also quote Lord Grey as considering that the abolition of the declaration, coupled with the habitual violation of the then existing regulation, with no attempt to stop it, amounted to a virtual recognition of the practice, and that if any new regulation was made affecting the value of the commission, the vested interests established under the existing system were entitled to consideration. There is a statement that Lord Hardinge, while Commanding-in-Chief, paid for the exchange of Colonel Hardinge; there is a correspondence quoted between the Treasury and the War Office; and finally, they refer to the withdrawal in the year 1868 from the Queen's Regulations of all reference to this prohibition. And they sum up in these words—

> "We find that the regulations expressly prohibiting the practice have been greatly relaxed and finally withdrawn; that there has been no real discouragement to the practice by any authority, and that there has been a decided acquiescence in the practice, amounting in our opinion to a virtual recognition of it by the civil and military departments and authorities."

And this, as has been remarked, is signed by General Peel, who has himself been Secretary for War. These are the grounds on which the Commission justify their finding. In considering this question of abolition of purchase we had to come to a conclusion as to whether it was right to include the prohibition of over-regulation prices or not in the proposal we had to make to Parliament, and we decided that it was our duty to submit this proposal to Parliament. These are the grounds upon which the proposal is based, and I earnestly hope it will receive the sanction of the Committee. My right hon. Friend the Member for North Northamptonshire said, in the early part of the evening, and with truth, that we had nothing to do with generosity; in that I entirely agree with him, and I am influenced by that consideration when I am pressed for an alteration or modification of the system. But the question which arises now is what my right hon. Friend the President of the Commission has pointed out as to the position in which we now stand, and he has asked you what we ought to do. Formerly there was a convenient veil of ignorance drawn over the whole of these proceedings. The hon. and gallant Member for Bewdley has given his definition of the reasons which he thinks led to this profession of ignorance on the subject. I do not agree with him. I agree with the Royal Commissioners. I agree with them, that as long as you allow traffic in commissions at all, so long will it be impossible to prevent an addition of an over-regulation price, and therefore it is that the House of Commons is asked to abolish the purchase system altogether. But my right hon. Friend the Member for Morpeth (Sir George Grey) has used strong language. He has told us what it was our duty to do, and said "that the veil of ignorance is withdrawn, and we cannot profess to be any longer ignorant of what is going on in the Army." He further says "that we are bound to use every means at our disposal to bring it to an end." This was the opinion of Her Majesty's Government. After this practical disregard by high authorities of the statute law of the land, was it not our duty to come forward? If we declared our intention to enforce the law, could we have done so without first asking you to give compensation to those who, by the connivance, or whatever it is to be called, of the high authorities in this practice, had paid over-regulation prices? These are the considerations which prevailed with the Government in making these proposals, and, as I said before, I earnestly hope that the suggestion will receive the sanction of the Committee.

COLONEL CORBETT—who spoke amid considerable interruption—said, the proceedings of that evening would possess the novelty, so far as he was concerned, of enabling him to go into the same division lobby with the Secretary of State for War. The hon. Member for Warrington (Mr. Rylands) had quoted, in support of his Amendment, certain remarks from *The Times*, and at first sight they appeared favourable to his view of the case; but if he had taken the trouble to consider the whole scope of the article in question, he would have found it to bear an interpretation different from that which he put upon it. He did not stand up in defence of the purchase system, and would not oppose its abolition if it would be for the good of the service and the country; but it ought only to be done after full deliberation and in a fair and honest manner. He did not agree with the statement that the abolition of purchase was likely to render the Army discontented; nothing would, in his opinion, do that. All he desired was that the opinions and the interests of all parties in the State should be properly considered before this question was finally settled.

LORD GARLIES said, that great stress had been laid on an answer given by Mr. Hommersley when examined before the Commission, and it was stated that his answer was, the arrangements were not made through him. Now, the next question that was put to Mr. Hommersley was whether, in point of fact, the money that was notoriously paid in excess of the regulation was not generally paid through his house, although it might not be entered in the same account, and his answer was, "Yes."

Question put, "That the word 'estimated' stand part of the Clause."

The Committee *divided*:—Ayes 285; Noes 108: Majority 177.

MR. ANDERSON said, he rose to call the attention of the Chairman to the character of certain votes that had been given in the division, the result of which had just been announced. In the course of the remarks he had had occasion to make in supporting the Amendment, he had pointed out that it was hardly right for officers on full-pay to give votes on a question in which they had a direct pecuniary interest. The question he wished to put to the Chairman was, whether such a vote was legal or illegal? He understood one Rule of that House to be that no Member was allowed to vote on any question in which he was pecuniarily interested. There was a small book in the Library of the House which purported to contain the Rules of the House, and by Rule 196 in that book no Member was allowed to vote upon any question in which he had a direct pecuniary interest, and the vote of any Member given in a matter in which he was so interested was declared to be void. Under these circumstances, he called upon the Chairman to declare whether the votes of those hon. Members who were upon full-pay upon this question, in which they had a direct pecuniary interest, ought not to be disallowed as bad. If it were necessary to name what votes he wished disallowed he would do so, but not otherwise.

THE CHAIRMAN: In order that a vote should be disallowed it must be a vote in which the Member giving it has a private pecuniary interest, and one not relating to a question of public policy. The question before the Committee being one of public policy, there can be no doubt as to the propriety of the votes which have been given on the question which has just been decided.

COLONEL ANSON: I wish to explain some words which dropped from me before the division. I was somewhat surprised at the warmth with which the right hon. Gentleman the Secretary of State for War—["Order!"]

THE CHAIRMAN: I understand that the hon. Member wishes to offer an explanation.

COLONEL ANSON: I wished to state to the House that the Government scheme was not popular; but when I spoke of the officers becoming a discontented body of men, I did not mean that they would become a dangerous body in the State. The officers of the

Army are a body of English gentlemen, and as such are incapable in any way of doing anything that testified neglect of duty.

Sir TOLLEMACHE SINCLAIR moved another Amendment, to insert in page 2, line 24, after the word "passed," the following words :—

> "Provided that where such officer shall die while serving, his widow or children shall be entitled to receive the regulation price of the Commission which was held by him on the said appointed day."

As his Amendment was the first placed on the Paper in reference to the case of the widows and children of officers, and as it was different from other Amendments of a like nature and narrower in its scope, he hoped the Committee would grant him their indulgence whilst he explained its object. The Secretary of State for War had said that there was no intention on the part of the Government to alter the existing arrangements in the case of the widows of officers who had died from natural causes. His (Sir Tollemache Sinclair's) proposal was that the regulation value of the commission should be paid not to the next of kin, but merely to the widows and orphans. The objection that was made by the Shylock of the Treasury bench was, that his proposal would violate the existing contract—that it was "not in the bond." But he replied that the Army Bill itself violated the existing contract between the Government and the officers. Nor was it any answer to his Amendment to say that if the officers did not like the new system they might retire; because men could not lightly withdraw from the profession in which they had passed their lives. It was equally insufficient to argue that the wives of officers were aware of the existence of the existing regulation when they contracted marriage, and at least it must be admitted that that argument did not apply to the children, and in their name he pleaded for the acceptance of the Amendment. Thank God, the Army Regulations were not unchangeable like the laws of the Medes and Persians. They had been, within a very recent period, modified in the interests of good sense and humanity, and he trusted that this further step in that direction would be conceded. He felt strongly on the subject, because he had had a brother-in-law who, after serving his country with distinction for many years abroad, died within sight of land on his return home, and his last hours were embittered by the consciousness that there was no provision for his wife and children. Was it not a mere refinement of cruelty that if an officer lived for six weeks after sending in an application to be allowed to sell out of the Army his widow was entitled to receive the value of his commission, but if he died one day short of that period she received nothing? In short, there were only two classes in the country whose property was liable to such confiscation—the officer and the felon, and he asked the Committee whether that was either right or just? The cost of abolishing purchase was estimated at £11,000,000; but £3,000,000 were to be saved by confiscating the property of widows and orphans of generals and of major generals. Of that sum, the amount for which he pleaded in the interest of the widows and orphans of those who died in the service of their country did not come to more than the paltry sum of £1,000,000. Surely the Committee could not do so great an injustice for the sake of so insignificant a saving.

Sir HENRY STORKS said, the widows and orphans of officers were treated with the greatest consideration. By the Royal Warrant of 1870, widows were entitled to pensions and orphans to allowances; and by another Warrant compensation in lieu of pensions was given to the widows of officers killed in action, or who might die within six months after being wounded in the face of the enemy.

Mr. J. R. ORMSBY-GORE moved that the Chairman report Progress.

Mr. CARDWELL said, he hoped that the Committee would come to a decision on the Amendment.

Committee report Progress; to sit again *To-morrow*, at Two of the clock.

BILLS OF EXCHANGE AND HOLIDAYS BILL.

On Motion of Mr. Watkin Williams, Bill to make the Law uniform as to the time when Bills and Notes falling due upon holidays shall be payable, *ordered* to be brought in by Mr. Watkin Williams and Mr. Locke.

Bill *presented*, and read the first time. [Bill 182.]

KINGSHOLM DISTRICT BOUNDARY BILL.

On Motion of Mr. Winterbotham, Bill to settle the Boundary of the District of Kingsholm, in the county of Gloucester, *ordered* to be brought in by Mr. Winterbotham and Mr. Secretary Bruce.

Bill *presented*, and read the first time. [Bill 185.]

GAME BIRDS (IRELAND) BILL.

On Motion of Mr. HENRY FITZWILLIAM, Bill to fix the times for killing certain Game Birds in Ireland, *ordered* to be brought in by Mr. HENRY FITZWILLIAM, Viscount ST. LAWRENCE, and Colonel FORDE.

Bill *presented*, and read the first time. [Bill 184.]

LIFE ASSURANCE COMPANIES ACT (1870) AMENDMENT BILL.

On Motion of Mr. CHICHESTER FORTESCUE, Bill to amend section three of the Life Assurance Companies Act (1870), *ordered* to be brought in by Mr. CHICHESTER FORTESCUE and Mr. ARTHUR PEEL.

Bill *presented*, and read the first time. [Bill 183.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 9*th June*, 1871.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Ecclesiastical Courts (84); Ecclesiastical Procedure and Registry* (85); Dogs (134); Pensions Commutation* (128).

Report—Trust Funds (Investments)* (165).

FRANCE—THE COMMUNIST INSURRECTION AT PARIS—BRITISH SUBJECTS.

QUESTION.

THE EARL OF AIRLIE wished to put a Question to the noble Earl the Foreign Secretary, of which he had given him private Notice—namely, Whether he could give any information to the House as to the number of British subjects now imprisoned in Paris in consequence of the late disturbances?

EARL GRANVILLE: I am quite willing to answer my noble Friend's Question as to a matter of fact. A statement having been made that several thousand Englishmen were engaged in the late melancholy occurrences at Paris, Lord Lyons made it his duty to inquire in every possible way how many had really been concerned in them, and he could not find that more than one Englishman had entered the National Guard. At all events, the number, instead of thousands or hundreds, could more easily be counted by tens. With respect to the particular Question put to him by the noble Earl—although innumerable prisoners were taken by the Versailles troops, not more than 15 or 20 Englishmen were among them, and as against two-thirds of these there was no case whatever; and at this moment the British Embassy have ascertained that there is only a single British subject in prison, and that one an unfortunate boy, who, having been taken fighting behind the barricades, may possibly be severely dealt with. Though it is not perfectly regular, I may take the opportunity of reading a despatch I have received from Mr. Malet as to the conduct of a gentleman who has behaved with admirable judgment and ability at a very trying period, and in a post of great danger. He says—

"On Wednesday morning, the 24th inst., news was brought to the Embassy that two English officers of Engineers, Mr. Noel and Mr. Churmside, had been arrested and taken to the barracks of the Louvre. I wrote a letter to General Douai, commanding in the Place Vendôme, asking for their release, and Mr. Saumarez volunteered to undertake the matter himself. He thought it advisable to endeavour to find the officers first, in order to be able to state positively to General Douai where they were, and to prevent their immediate execution at a time when prisoners, especially foreigners, are being shot indiscriminately. On reaching the Rue de Rivoli, Mr. Saumarez found it deserted, and going on under the arcades was summoned across the street by a soldier, and then saw that he had been under the Ministry of Finance, which was blazing. It was also clear that the whole of the street was under fire from the Hôtel de Ville, still defended by the insurgents. Mr. Saumarez reached the Tuileries, which was burning, and inquired of an officer whether there were any prisoners at the barracks of the Louvre; the officer replied that if there were any they must be burnt or shot by that time, and not till then did Mr. Saumarez give up his pursuit in this direction. He again crossed the Rue de Rivoli, while the shells were bursting among the arcades, and succeeded in reaching the Place Vendôme, where he found the arrested officers, who had indeed been started for the barracks of the Louvre and brought back as it was impossible to reach them. I should have brought Mr. Saumarez' conduct to your Lordship's notice sooner, but I have only learnt by degrees the details which I have the honour to give. On my inquiring at the time whether he had been successful he merely replied that both the officers were out."

I think your Lordships will be glad to have been made acquainted with the contents of this despatch.

ECCLESIASTICAL COURTS BILL—(No. 84.)

(*The Earl of Shaftesbury.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF SHAFTESBURY: My Lords, it is, no doubt, somewhat late in the Session to move the second reading of the Bills now before your Lordships, but the delay has been owing to one or two circumstances beyond my control. At an earlier period of the Session the Returns for which I moved last year were very incomplete—indeed, they are not now exactly what they should be; and, in the next place, I waited for the presence of the most rev. Primate, whom we are all glad to see again in his place. The two Bills, with very few exceptions indeed, are almost identical with the Bill that came down from the Select Committee; but I admit that both in Committee and in your Lordships' House certain noble Lords reserved their undoubted right of protesting against some portions of the measure, and of opposing them to the utmost extent of their power, and resistance to it on this occasion was therefore to be expected. I confess, however, I was not prepared to hear a Member of the Episcopal Bench (the Bishop of Peterborough) give Notice that he should move the entire rejection of the whole Bill — the rejection not merely of the clauses to which objection was taken in the Committee, but of the proposed Amendments in the mere construction and conduct of the Courts. Now, I feel that this sudden opposition places me in a great difficulty, and I am therefore prepared to surrender one part of the measure for the present, with the view of securing the remainder. I have at all times been far more anxious to secure due reforms of the Ecclesiastical Courts in their construction and procedure, than to obtain any of those clauses relating in some measure to doctrine or discipline. I have been more anxious to secure cheaper and more expeditious tribunals, than to carry any of those proposals which raise so much opposition. I am prepared, therefore, to withdraw the famous 33rd clause, which gave power to the laity to promote the office of the Judge and to institute suits without the concurrence or approbation of the Bishop, and all the clauses connected with it. It is to that clause that the greatest opposition has apparently been directed, and I propose to bring it forward as a separate Bill next year. I do not attach any great value to it, for were it carried it would very seldom be brought into operation; and I believe, moreover, that the laity have never lost the power which they formerly possessed of promoting the office of the Judge; it was, we have reason to believe, not taken from them by the Discipline Act, as it is called, of 1840, and an opportunity will no doubt arise of testing that power in some one of the superior Courts, and of coming to a conclusion upon it without the necessity of enacting it anew. But I must ask your Lordships to give your aid in effecting the necessary reforms in the construction and conduct of the Courts. Now, when I brought forward this measure in 1869 I adduced a great many testimonies in proof of the character of these Courts, and though I should be sorry to weary your Lordships by a repetition of them, it is necessary that I should remind you of the judgment pronounced on them by high authorities who have maintained the absolute necessity of a thorough reform. The first opinion I will quote is that of a Committee of the Upper House of the Convocation of Canterbury in 1853. They reported—

> "That they are unanimously of opinion that the present state of the law touching the discipline of the clergy is unsatisfactory, and that it needs amendment. That the great expenses and delays attending such proceedings, which amount frequently to a denial of justice, have not been removed by the recent Acts upon this subject. That the provisions of the last Act, which governs the present administration of the law, are inadequate for their purpose."

They concluded by saying—"It is highly important that such evils should be remedied." Lord Cranworth in 1856, in introducing his Bill on the subject, described the existing system as "cumbrous, dilatory, and expensive," and quoting the famous case of "Farnell *v.* Craig," he said—

> "The proceedings commenced in March, 1845. The Commissioners, who sat for nine days, no doubt at an enormous expense, agreed upon a report. Mr. Craig was not satisfied with it, and brought the case into the Court of Arches in November, 1845, where it remained hung up and pending at an enormous cost until 1847. There was then an appeal to the Judicial Committee, and in March, 1849, four years from the commencement, the Judicial Committee decided there was no ground for the action, and the defendant was set free, subject only to the enormous costs of the suit."—[3 *Hansard*, cxli. 1255.]

In 1859, the Bishop of Killaloe, a high authority, said—

> "I believe that the present state of the ecclesiastical law and the Ecclesiastical Courts in England tends greatly to uphold the influence of evil by affording shelter to grave delinquents, and obstructing the effectual punishment of immorality and the expulsion of religious error."

I will only quote one more opinion, that of a high authority, the most rev. Prelate who presides over the archdiocese of York, who, speaking in 1865 in the Convocation of that Province, used these very strong words—

> "The mode of proceeding in the Ecclesiastical Courts in dealing with cases led to endless and countless delays, and constant miscarriages of justice, and he knew that if there should be one erring brother causing a scandal to Christ's flock out of the many who were doing their duty faithfully, it was not in the power of the Bishops to bring such offender to justice without very long delays and very considerable expense, which had to be borne by himself. First, as to delays, he should like to see the Ecclesiastical Courts, in their rules and proceedings, assimilated to our Common Law Courts; and then it would not be possible for a man to dodge and put off his trial by dilatory pleas, which had to be answered by tedious replications, but upon a certain day he would be brought to his trial, and the public mind would then be satisfied, either of his innocence or of his punishment; the thing would be brought to a close, and the scandal removed."

He went on to describe a case in which the Bishop was asked to punish one of the greatest offenders ever known in our Church; but having already spent £4,000 upon another case in the same year, he was unable to bear the expense of another process. He added—

> "The delays and the expense and the cumbrous procedure of the Ecclesiastical Courts, which had descended to us from past generations, should be swept away, in order that simple justice might be simply done. He would not be thought to wish for more powerful machinery to bear upon the clergy, but he knew that it was the feeling of all the Church, of the clergy, and of the laity, that when a great scandal arose it should be inquired into by a strictly legal examination as to the guilt or innocence of the party accused. Such a power was essential to the safe conduct of the Church, in whose welfare they all took so deep an interest. . . . One necessary provision would be, in any alteration of the Ecclesiastical Courts, that the rules and course of procedure should be assimilated to the Common Law Courts, which worked so well."

Now, that is precisely the object of the Bill—to assimilate these Courts to the Common Law Courts, to make the process cheap and expeditious, and thus to render them accessible to the community at large. There have been numerous instances of the heavy costs involved in some of the suits. Your Lordships have all heard of the Purchas case. That case, I am told, occupied nearly three years, and, although undefended, cost almost £8,000 to one side. Now, this is a state of things which your Lordships will feel demands some remedy; and when I proceed to show the means of providing for it, and the large resources at our command, I think you will see that it is still more necessary that no time should be lost. In 1869, when I first brought the question forward, I was told that my financial scheme rested on an insecure basis, and that the funds were not so great as I then described them. I afterwards, however, moved for Returns from the various dioceses of all the fees, and resources by which the whole of this ecclesiastical system was maintained, and of the expenditure also. I had, in my first statement, put the receipts at about £50,000 per annum; but the Returns, though not by any means complete, show that they amount to £71,794. As the Return of marriage licences from the Diocesan Courts might not be considered full and correct, I applied to the Registrar General, who informs me that the average of the last 11 years gives 19,620 marriages by licence annually, and 18 by special licence. The fees derived from those licences amount to £39,639. From institutions, ordinations, &c., they amount to £13,773; from visitations, procurations, &c., to £13,105; from consecrations and faculties to £3,317; from miscellaneous diocesan business to £1,820; and from contentious suits to £140; making a total of £71,794, although no Returns have been made from Hampshire and from 32 archdeaconries, while very incomplete Returns have been received from surrogates in 17 districts. Now, in remarking on these tables, it may be taken as substantially correct that £880 is received annually by Bishops for visitation fees. I cannot think that such an item ought to appear; it is hardly right that the Bishops should take this sum either from the parishioners or the parochial clergy. The next item in the Returns is £10,648 received by Bishops' secretaries. Now, it is only within the last 20 years that Bishops' secretaries have appeared in the list of ecclesiastical officers and have received salaries avowedly from these sources; it is a serious item. Then came the Chancellors, who divide among themselves £8,600. The Chancellors, no doubt, are, many of them, worthy and good men, but their appointment proceeds on an altogether wrong principle. There used to be a Vicar General and a Chancellor, the former being the officer to advise the Bishop, and the latter the judge to sit on all cases brought before him; but the offices are now united in every diocese but Canterbury; so that in any legal matter the Bishop consults his Vicar General, and if he is advised that the suit should proceed the same gentleman appears afterwards as Chancellor to try the very cause on which he has advised. That I hold to be altogether wrong and vicious in principle, and a matter to which I must invite the instant and earnest attention of the Lord Chancellor. The office, moreover, is in almost every instance an absolute sinecure. I may take as an illustration the Chancellor of the diocese of Chester, who is a very excellent person. He is a clergyman, and was appointed under the old system, combining the offices of Chancellor, Vicar General, and official Principal. The Return gives a number of cases in which fees are payable to him for the consecration of churches, and collations to benefices and honorary canonries, institutions to benefices, and licences to perpetual curacies; the duties to be performed being in each case described as "none." He also receives fees for faculties for restoring or altering churches, and for the removal of corpses, and from marriage licences alone he receives £603 a-year. What is the duty performed? The answer is—None, except that the licences are issued in his name and under his seal, and that all matters connected with the issue of them are under his regulation. He also receives £104 from episcopal visitations, his duty being to attend the triennial visitation Courts, to examine the presentments of the outgoing churchwardens, and to admit their successors. This is a very fair statement of the duties of the Chancellors. They have not all, it is true, the same emoluments. But I have adduced here one case in which £704 is paid to a Chancellor, for which no duties whatever are performed. Who can wonder that the following formula, as an attempt at justification, is almost universally adopted in the Returns?—

> "Although certain of the above fees are allowed to the Chancellor without any duty being required of him, it is right to add that they are regarded as an indirect way of remunerating him for learned opinions and assistance given from time to time to the Bishop and clergy, and attending the Bishop's visitations."

Now, I ask, what assistance do the Chancellors give to the Bishops? One Bishop said to me—"I do not consult my Chancellor five times in the year;" and only two days ago the Chancellor of one of the largest dioceses in the kingdom told me—"I receive, perhaps, three letters, and give as many signatures." For this he receives fees amounting to an annual sum of £460. But what is the business transacted by the Chancellors for the sum of money which they receive? I think your Lordships will be surprised when I compare that business with the business transacted by the Common Law Courts, as shown by the judicial statistics of 1869, the last year for which we have Returns. The proceedings in the Ecclesiastical Courts relate to dilapidations, church rates — now abolished — pew rights, forcibly entering churches, and other simple matters, and the number of suits of that kind in 1869 was 38. Turning to suits for faculties, I find no less than 150 for erecting or altering churches, and 24 for erecting a school, removing buildings, &c., the total number of matters which came before the 27 Chancellors being 212, the greater number of which were for unopposed faculties, which in all probability were settled in a quarter of an hour. Indeed, I have heard it stated by a person of authority that one gentleman could discharge in six weeks the entire duties performed by those 27 Judges in the course of a whole year. Now, in contrast to the 38 suits in the 27 Diocesan Courts, chiefly about sequestrations, pew rights, &c., and the 174 faculties almost entirely on matters of routine, take the amount of work performed by Her Majesty's Judges in the three Common Law Courts. The Returns are drawn from the official documents on judicial statistics. In 1869 the suits tried in town and country were—at Westminster, 1,423; at Nisi Prius, 1,421; and trials in Error, 40, making a total of 2,884; add criminal trials, 3,546; and the total number of suits and trials was 6,430. I must, however, add the business in Judges' Chambers, amounting to 194,110 cases—so that the grand total of cases was 200,540. It thus appears that the civil and criminal proceedings in the three superior Courts of Common Law in town and circuit, and in the Judges' Chambers, exclusive of election business and attendance in the House of Lords (according to the Returns), number more than 200,000. These duties are performed by 18 Common Law Judges, while 27 Ecclesiastical Judges, at an expense of nearly £9,000 a-year, are occupied with the despatch of 38 suits and the issue of 174 faculties, chiefly unopposed. Your Lordships will see that there is here an enormous waste of judicial power, and that another Session ought not to pass without some limit being put to such a flagrant abuse. I must now turn to the registrars. They divide no less than £21,500; but what are the duties? Why, they are often performed by deputy, the deputy paying the registrar a fixed sum a-year out of the fees. The deputy of Winchester naturally makes a complaint that he bears all the expenses of the office and "does much unrequited work," and that he has to pay the registrar £200 out of the fees he receives. Generally speaking, the business of the registrar might be discharged in a few hours a-week. I am told by a gentleman well acquainted with the details that in any case they might be performed in eight hours a-week, and oftentimes in about three, yet some of them receive for this small duty, no less a sum than £1,000 a-year. Then the apparitors divide amongst them £1,166, derived entirely from the clergy, for visitations, procurations, and inductions. Now, what are the apparitors? I turn to the Return from the diocese of Carlisle—and all these Returns, your Lordships will understand, came from the several dioceses—and I read—

> "There is not any formally appointed apparitor, but the Bishop's personal servant acts as such at the consecration of a church, and at the triennial visitation, and for the former duty he receives (under the table of March, 1866) the fee of one guinea, and for the latter (under the table of March, 1869) the fee of 3*s.* 6*d.* from each of the parishes from which it is practicable to collect the visitation fees, and also 10*s.* 6*d.* for each faculty. The nominal apparitor's duties at a consecration and visitation are to bear the mace before the Bishop, and in the Consistory Court his duty is to make proclamation for parties to appear, and of the opening and adjournment or closing of the Court."

He receives a fee at episcopal visitations "for every parish from which it is practicable to collect visitation fees"—your Lordships should mark the expression "where it is practicable"—and I do not know anything to which the clergy are inclined to offer more opposition than to these visitation fees. Take the case of Exeter. I read—

> "The apparitor has no duty beyond bearing the mace before the Bishop. This is done by his deputy, who receives a salary of £30 per annum. The apparitor, who is also nominally bailiff, or keeper of the Bishop's palace, and of his gaol or prison, holds a house adjoining the palace of the annual value of £40. The office of the apparitor is a patent office, and is held for life."

The office is held by a gentleman of some standing, for he is styled "esquire," and has a country seat; and he is entitled to the following fees:—On collection or institution to a canonry, prebend, or benefice, 3*s.* 6*d.*; on consecration of a church, cemetery, or burial ground, 21*s.*; and for every marriage licence, 1*s.* 4*d.*, although there are no duties to be performed, and the office is discharged by deputy. In the archdeaconries the same thing is repeated. The archdeacons receive £3,500 a-year, their officials receive £800 a-year, their registrars £6,041, and their apparitors, £1,656. Thus the total amount of the fees paid to apparitors, to Bishops and Archdeacons, is £2,823, derived entirely from the clergy for visitations, procurations, and inductions. The Bishops' surrogates receive £14,500; but these fees are paid, I believe, principally to the poorer clergy, and so I say nothing about them. There is yet another sum to which I must call your attention; £2,500 is paid as compensation to the proctors in the Probate Courts; but this will expire in 1872, and though it will fall as patronage to the Archbishop of Canterbury, I am certain that the present Primate—or, indeed, any Primate—will be most unwilling to take that sum and distribute it among persons already overpaid, and that he will surrender it at once for the benefit of the community, to be applied for the purpose of the amendment of these Courts. I now wish to suggest a scheme which, however, is not embodied in the present Bill, to show how the funds might be apportioned, and what a large surplus would remain. It is proposed simply as a scheme for the consideration of the functionaries appointed to draw up the rules and regulations, subject to the approval of the Judicial Committee of the Privy Council. The object, I again state, of the Bill is to cheapen and expedite procedure in the Ecclesiastical Courts; and I believe that the plan I propose will effect that object. In the first place, the authority of the Bishop is in no way interfered with, and all vested interests are respected, all persons in the receipt of incomes continuing to receive them during their life. I proposed at first to leave the Chancellor as an honorary officer, and eventually, on the death or removal of each Chancellor, to take away the salary, but I now propose to assign a salary. We shall have to provide for a new Judge at about £3,000 a-year, and about £1,000 a-year for clerks and travelling expenses; but the £2,500 I have already mentioned as falling in from the proctors expenses would go a good way towards this end, and about £1,200 more would enable the Judge to carry his duties on—so small a sum as this could easily be raised by mortgaging the fees until vacancies shall have occurred sufficient to pay off such mortgage and provide for all future expenses. We have made a large and liberal estimate. I propose to retain the Bishops' secretaries, two (Canterbury and York) at £500, and 25 at £300 each, salaries in every instance being substituted for fees, on the principle adopted in the Common Law Courts. The Chancellors will be two, Canterbury and York at £300, and 25 for the remaining dioceses at £100, and the registrars one at £800, one at £600, and 25 at £300. At Canterbury we propose a chief clerk at £200, and other clerks at £100, £100, and £80 respectively; in the registries of York, London, Chester, and Manchester, four chief clerks at £150, four at £100, and four at £80, and in the remaining 22 registries a chief clerk at £150, and another at £100. We propose that there shall be one provincial Judge appointed. I have heard it said that this would suppress the ancient Courts of Canterbury and York. It is no such thing, we leave the two Courts in all their vigour, with one Judge for both. Neither do we appoint a new Judge; it is the fusion of two into one, for whom there will, after all, be but little business. Neither do we in any way interfere with the Bishops' Courts. The Bishop, if he chooses, may have cases tried by his Chancellor; but if he prefers it he can, by sending letters of request to the Archbishop, obtain the services of the provincial Judge, who will go down to the spot and there try the case. Much advantage will be gained by this process; we shall have greater facility of evidence, very abridged time, and far less cost. There will be also this advantage—that the number of appeals will be lessened, for the appeal from the provincial Judge will go straight to the Judicial Committee, whereas there is now an appeal from the Episcopal Court to the Archiepiscopal, and thence to the Judicial Committee. This estimate I believe to be not only large and liberal, but more than adequate. It has been submitted to Dr. Bayford, the Chief Registrar of the Court of Probate, who approved it as being, according to his ample experience, in every way sufficient for the purpose. I wish your Lordships to bear in mind, however, that the scheme is only a suggestion, and that the decision will be left to those who will prepare the rules and orders. I have heard it said that the financial basis is insecure, inasmuch as it rests on the fees for marriage licences, and that the Marriage Commissioners have reported in favour of the abolition of such licences. This, however, is not the fact. These are the Commissioners' words—

> "If, however, it is considered necessary still to charge fees for the solemnization or for any of the other legal requisites or incidents of marriage (either on account of the difficulty of replacing the deficiency which their abolition might cause in the incomes of some of the parochial clergy, or for any other reason), we think that a uniform table of such fees, upon as moderate a scale as practicable, should be settled by law, and that such fees should not in any case be augmented by the imposition of stamp duties, such as those now imposed in England on common licences."

You will observe, my Lords, that the Commissioners' Report is in favour of retaining them for ecclesiastical purposes, and all that they propose is that the fees should be on a moderate scale, and I believe that in that case the receipts would be considerably augmented, as many persons, the cost being reduced, would prefer to be married by licence. The Government, too, derive £12,500 per annum from stamps on these licences, which they would be unwilling to lose, and it is clear that licences, in some form or other, will continue in demand. On an average, therefore, the ecclesiastical fees may be reckoned as amounting to at least £71,000, and the whole expense of the Courts that I propose might rest either upon the fees from marriage licences or upon these fees. Either is able to bear the whole weight.

The proposed estimates for carrying out the provisions of the Ecclesiastical Courts and Registries Acts is £31,800, consequently the marriage licence fees alone would meet such an expenditure, leaving a surplus of £7,839. If the marriage licence fees be abolished and the other ecclesiastical fees be retained, which average £32,155 4*s*. 6*d*., there would even then be a surplus of £355 4*s*. 6*d*. It is a part of my suggestion that if there is a surplus of any amount it should be applied, if it can be done with safety, to the abolition of the fees which press so heavily on the parochial clergy, such as fees for letters of orders, consecration of churches and churchyards, institutions, and all that kind of thing. This would, of course, be in the discretion of those who will be appointed to draw up the rules and orders. I am by no means bigoted to the scheme I propose, but I think I have brought forward a state of things which ought not to be tolerated in any civilized country, and appeal to the noble and learned Lord on the Woolsack, who will see, and I hope acknowledge, that what I have described as to the Chancellors, apparitors, and other officials cannot be permitted to continue. I am ready to accept any scheme that would effect the object in view. My only desire is to make the Ecclesiastical Courts, as Courts of Justice, accessible to the community and to prevent this intolerable misuse of public money.

Moved, "That the Bill be now read 2ª."—(*The Earl of Shaftesbury.*)

THE ARCHBISHOP OF CANTERBURY: My Lords, I wish to say a few words before my right rev. Brother (the Bishop of Peterborough) proceeds to move the rejection of the Bill. I will begin by stating my intention to vote for the second reading, and I believe that in that course I shall be supported by a large part of the Episcopal Bench. Before explaining my reasons for supporting the Bill, I beg leave to correct one or two mistakes into which my noble Friend (the Earl of Shaftesbury) has fallen. He stated that there are in the Ecclesiastical Courts a great number of sinecure offices, and urged on your Lordships that this was an intolerable state of things; but at the close of his speech he proposed a salary for everyone of those persons. Now, though no doubt that salary is smaller than the amount of fees they receive at present, if their salaries are a waste of the public money, and if they are such a nuisance to society, as the noble Earl describes them to be, they surely ought to be allowed nothing. It would seem, therefore, that there must be a slight mistake in the noble Earl's view of those persons. I consider the fact to be different from the representation of the noble Earl. With regard to the Chancellors, my experience of the office in the diocese of London—an office held by Lord Stowell, by Dr. Lushington, and by Dr. Twiss—is that without its due discharge the episcopal duties could not be properly performed. While holding the see of London, I was in continual communication with the Chancellor, Dr. Lushington, and afterwards with Dr. Twiss, on important legal matters connected with the work of the diocese, and it would have been impossible for me to dispense with their services. I am glad, therefore, that it is not proposed to dispense with that office. My noble Friend was indignant at the existence of apparitors and other officers; but I believe that such officers are necessary to every Court, and I appeal to noble and learned Lords whether it is not necessary for some person to discharge such functions. After all, too, the payments by fees are apparently very small. I perfectly agree with him that all such officers should be paid by salaries, and that those salaries should be as moderate as the circumstances of the case admit. The scale which the noble Earl has proposed seems to me a very fair one. Were all these persons paid according to what are called in the legal profession fees for work done, they would probably receive a great deal more than the salaries now proposed. They are legal gentlemen, whose time is extremely valuable, and they should be paid—not for the length of time they give to a case, but for the value of the opinions they give, which opinions are absolutely necessary for the business of the diocese. As to visitation fees, which the noble Earl thinks the Bishops had better give up, I have never recently received such fees, nor has my most rev. Brother (the Archbishop of York). Whether it is right that they should be received or not is a matter which would very fairly come under consideration when this measure is carried fully into operation. As to the persons invidiously called Bishops' secretaries, I wish the public to understand that in no sense are they simply Bishops' secretaries. They are persons who, acting for the Bishops, perform some public acts for which they are paid by those for whose benefit the acts are performed, and were they, like attorneys, to send in their bills for each transaction the clergy would not be likely to be satisfied with the change. Having corrected these misapprehensions which might arise from the valuable speech of my noble Friend, I wish to express my hearty approval of the principle of his measure. It is now two years since a Select Committee was appointed to consider this subject. It was a very large one, consisting of the highest legal and some of the highest ecclesiastical authorities, quite competent to produce a good Bill on a very difficult and intricate subject. They went into the matter with the utmost care, they considered both the noble Earl's Bill and that which I had introduced, and the present measure is substantially the result of their deliberations. That Committee itself was the result of a great many abortive attempts to cure the evils complained of. On the very first day that I had a seat on the Episcopal bench, 14 years ago, I found that the reform of the Ecclesiastical Courts was a matter eagerly pressed upon the Bishops, and one which they were very anxious to deal with. I stated, two years ago, that my Bill was one of many measures which had been introduced on the subject. A learned counsel told me the other day that he had prepared 12 or 13 Bills to be laid before Parliament for the reform of these Ecclesiastical Courts. This matter, therefore, has been well ventilated. It has been ventilated in your Lordships' House as well as out of it, in Select Committee, and almost every year in the meetings of Bishops, who have always said they desire some such reform as that proposed by the noble Earl. It might be said that though some reform is necessary it has not been shown that this particular reform is what is needed; but, looking at the whole matter, I am of opinion that this Bill does contain a satisfactory solution of the great difficulties to be encountered in dealing with these Courts. These Courts are tedious and expensive, and, according to the present arrangements, there is not sufficient provision made to secure the services of good Judges. At this particular moment we are fortunate in that respect; but we are always liable to find ourselves in a different and much less satisfactory position. When it was proposed some years ago to abolish the jurisdiction of these Courts in matrimonial and probate matters, it was objected that the result of such an arrangement would be to take away the chief means for the payment of the Judge of the Court of Arches, and it was then said in answer that the country could always afford to remunerate its officials amply; but, as a matter of fact, up to the present time no step has been taken in that direction, and the salary of the Judge of the Court of Arches is now, I believe, scarcely £40 a-year. He was convinced that it was necessary that a Judge should be provided for our principal Ecclesiastical Court, and the method of payment proposed by the noble Earl was the same as that which had been adopted in the Court of Chancery—namely, that the fees would be paid as usual, but were to go into a general fund out of which the officers of the Court were to receive stipulated salaries. Whether the Bill provided for the payment of too large a salary is a matter which we can consider later, but there is no doubt that the Judge has a great deal to do, and is entitled to a fair salary—a salary which there are ample means to supply out of the fees. Then comes the question whether it is right that there should be one Judge for the two Provinces. The plan proposed by the noble Earl, as I understand, is that the two Archbishops should concur in the nomination to the Crown of a fit person to fill the office, and not that these ancient Courts should be abolished. The question too, of course, arises whether this Judge is to supersede the Diocesan Courts. I find nothing in the Bill to that effect. As your Lordships are probably aware, a case in the Ecclesiastical Courts may pass through four stages. First there is the Commission, then there may be the Diocesan Court, then the appeal to the Court of Arches, and finally the appeal to the Privy Council. But four trials, I think, will be generally allowed to be too many, and the Bill provides two instead of four. It is proposed to abolish the original commission, but the Diocesan Court remains in full vigour, and if all the parties concur an appeal may be carried direct to the Privy Council instead of being first decided by the Court of Arches. By this Bill, too, the provincial Judge is authorized to go down into the district and hold his Court there, thereby of course tending greatly to a diminution of expense. The noble Earl also proposes that the scale of fees shall be entirely re-cast, and that fresh rules and orders shall be framed for the simplification of the practice in these Courts; and this is the more necessary inasmuch as there is great waste of time and money arising through the mode in which matters are now conducted in these Courts. It is true I have heard the argument used that expense and delay are so far advantageous that they discourage litigation, and that to reduce the expense would be to encourage it. I cannot admit the argument—though I should be surprised to find a man who entertains a stronger objection to litigation in ecclesiastical affairs than I do. No man can be more pained than I have been at the spectacle exhibited of laymen as well as clergymen concentrating their whole attention upon vestments and matters of ceremonial at a time when no man with eyes in his head can look at the state of Europe without regretting that such matters should occupy the attention of those whose thoughts and best exertions should be devoted to the ungodliness and ignorance which disgrace the century in which we live, and which require all the efforts of the clergy and laity to remove.

THE BISHOP OF PETERBOROUGH: I need not say, my Lords, with what willingness I complied with the request of the most rev. Primate that I should allow him to precede me in addressing your Lordships, and I need scarcely say with what feelings of pleasure I listened once more to the voice of the most rev. Primate in your Lordships' House. The announcement made by the noble Earl (the Earl of Shaftesbury) that he intends to withdraw the 33rd clause of this Bill, and the clauses that depend upon it, happily relieve me of what in any case would have been a painful and invidious task, that of asking your Lordships to accept the Motion of which I have given Notice. I am as keen a Church reformer as the noble Earl himself; I am as deeply convinced of the evils of the abuses of which he has spoken this evening as he himself can be; and I was most anxious to have been able to give my vote with a clear conscience in favour of the noble Earl's Bill. But I was bound to oppose, and always shall feel bound to oppose to the utmost of my ability, and by every means which the forms of your Lordships' House will permit, any clause or any series of clauses which in my judgment would prove fatal—not to the privileges of my order, for upon that point I care little to contend—but to the independence of the clergy and the peace and progress of the Church. It would not be right or fair that I should trouble your Lordships with any observations upon the clause or clauses which the noble Earl has determined to withdraw; but, in justice to myself, after the speech of the noble Earl, I should say the reason I was prepared to ask your Lordships to refuse the second reading of this Bill was that, as it appeared to me, the 33rd clause and those depending upon it raised a most important question of principle, which I believe has never yet been fully argued out in your Lordships' House—the question whether the clergy are to have that protection against frivolous and vexatious prosecution in the discharge of their duties which is granted to the members of all other professions in this country. I should have been prepared to show that that was a question involving a very important principle, and one on which the clergy of the country have not yet had an opportunity of expressing their feelings or presenting Petitions to your Lordships' House. It was because I dreaded that your Lordships might have been induced to pass a vote which, in my conscience, I believed would have been received with feelings of alarm and exasperation by the great majority of the clergy of all theological parties in this country, and because I felt that my opposition could not possibly obstruct the Bill, inasmuch as it is quite certain, from the state of the Business in the other House, that the Bill could not become law this Session, that I felt I might lawfully, and within the strict rules of the House, oppose the noble Earl's Bill in what I thought the most straightforward and most honest way by moving its rejection on the Order for the second reading. Of course, however, as the noble Earl has withdrawn the clause to which I most strongly objected, I shall withdraw my Motion against the second reading of the Bill, and refrain from troubling your Lordships with any further observations on the subject—excepting that I wish with all possible distinctness to repeat to the noble Earl the pledge I have already given to him—namely, that he will receive from me, both in and out of this House, and in every possible way in which one man can oppose another, the most determined opposition to what I consider to be the mischievous principle contained in the clause to which I particularly refer.

EARL BEAUCHAMP said, that the proposal in the Bill, which, in effect, repealed those portions of the Church Discipline Act which imposed certain restrictions on the right of initiating prosecutions against the clergy, he was afraid would have the effect of aggravating discord and promoting ill-feeling in many quarters. The most rev. Primate had said that this Bill was mainly identical with that which came down from the Select Committee two years ago; but it should be remembered that the Bill which resulted from the deliberations of that Committee only showed the opinions of the majority of the Committee, in which body there were great differences of opinion on several important provisions in the measure. But many of the provisions contained in the Bill of the Committee were not contained in the present Bill—the Diocesan Courts, for instance, though they were carefully preserved in the Committee's Bill, were, in fact, destroyed by the present measure. It might be said that the Diocesan Courts were not matters of paramount importance; but inasmuch as the noble Earl wished to see ecclesiastical justice made as accessible as possible to all classes of the community, and inasmuch as he, no doubt, looked forward to a considerable increase in the number of suits, those Courts became important. The financial basis of the present Bill was, in his opinion, utterly unsound, and he, for one, should strongly resist any proposal to apply the funds which were held by the Ecclesiastical Commissioners for spiritual purposes to the support of Ecclesiastical Courts as proposed by the noble Earl. The noble Earl had informed them that the fees for marriage licences amounted to £40,000; but it should be remembered that of that sum not less than £12,000 was intercepted in its way for stamps and handed over to the State, and that made a very considerable diminution in the fund on which the noble Earl so confidently reckoned. It was, therefore, in his opinion, wildly chimerical to suppose that the sums received for marriage licences would recoup the Commissioners for the money they would be called upon to advance. He objected further to the proposal that persons nominated as Bishops by the Crown must of necessity be consecrated by the Archbishop of the Province, without the laity having any right to raise objections to them on grounds affecting their faith or morals. Neither was there any provision in the Bill for dealing with criminous Bishops. Now that it was proposed to reform the Ecclesiastical Courts, and to give facilities for instituting suits against priests and deacons who offended against the laws ecclesiastical, it was but fair that some assurance should be given that those who preside over the Church should be as amenable to the laws of the Church as the humblest clergyman within her pale.

THE LORD CHANCELLOR: My Lords, I purposely refrained from offering the few remarks I wish to make upon this Bill until the Motion for its rejection had been withdrawn, the reason for such withdrawal being that the noble Earl has dropped for the present the clause having reference to legal proceedings by parishioners on account of offences charged against the officiating clergy. But I am not prepared to go the length of saying, with the right rev. Prelate, that the laity ought not to possess the right of initiating proceedings against the clergy. On the contrary, I think occasions have arisen in which the laity might have been subjected to great oppression if some such remedy were not provided for them. It may be said that there is a special remedy provided by the present Bill; but it seems to me that the empowering any three parishioners to take proceedings against their clergyman is an unsuitable provision, and such a remedy strikes me as being calculated to produce vexation, instead of promoting harmony and peace. I think the laity have of late been greatly aggrieved by alterations made in the mode of conducting the services to which they have been accustomed—and this frequently without any notice being given to them of such a course being intended, and without any remedy in their hands by which matters might be restored to their ordinary and normal condition. What I think ought to be provided is some means by which such a state of things may be easily and promptly remedied. My great objection is not in reference to any question of doctrine or discipline, but because any such course of procedure as I have adverted to—namely, the changing the whole administration of the services of the Church unexpectedly and against the wish of a large portion of the parishioners—must tend to destroy entirely that parochial system which, in my opinion, is the most valuable part of our institutions connected with the Church. It is quite obvious that if a clergyman is at liberty to introduce any change in the administration of the services of the Church according to his individual caprice or fancy, although he may be able to attract large congregations composed of persons whose feelings are in unison with his own in reference to his mode of conducting the services, this result will be attained at the expense of excluding from the Church a large number of parishioners who object to such a course of proceeding. I recollect an instance in point. A clergyman examined as a witness before the Ritual Commission had introduced into his church practices to which his congregation were entirely unaccustomed, but he said, in answer to a question—"I have taken every step with the assent and concurrence of my congregation." He was thereupon asked—"Does your congregation consist of your parishioners?" To this he replied, "No." "How great a part of your congregation do you suppose consist of your parishioners?" He replied, "Not one-fourth." This clergyman, therefore, had expelled from the church no less than three-fourths of his parishioners in order to gratify persons who came to him from other quarters. If, then, courses like this are to be pursued, the parochial system must break down entirely throughout the country. Consequently, the laity have the greatest possible interest in seeing that what is just and lawful shall be accomplished in their respective parishes. As regards the second reading of the Bill, it seems to me that none of your Lordships can doubt the propriety of reading it a second time. Last year the noble Earl (the Earl of Shaftesbury) introduced a Bill on this subject, and at the same time another Bill was brought forward by the right rev. Primate, whom I rejoice to see once again among us. Both those measures were referred to a Select Committee, which reported in favour of a Bill very similar to that which has now been introduced by the noble Earl. After that I think it is impossible for us to say that the Bill ought not to receive from your Lordships' House the advantage of being read a second time, in order that its details may be scrutinized in Committee. Into those details I will not now enter; but I may, perhaps, be allowed to remark that the financial question will probably constitute the chief difficulty when it comes to be fully discussed. I should rejoice to see efficient Courts established, because great difficulties exist at present in ordering the affairs of the Church, which ought to be conducted on legal and constitutional principles. The expense of removing a clerk in Holy Orders is enormous. I am old enough to recollect the case of a clerk who shut up his church and placed a dunghill in the porch, in order to prevent any other person from officiating. It took five or six years to remove him, at an expense of £12,000 or £13,000. Such an offence as this would, by the noble Earl's Bill, be settled in two days at least, if not in two hours. I believe, too, that the course pursued by the noble Earl in giving facilities for hearing cases by consent is a most valuable part of the Bill, and ought to be more completely developed. These advantages are of immense importance, and it is highly desirable that we should secure them. The Bill, however, is not yet, I confess, in such a state that a great deal of alteration will not be required in Committee, and I think there will be very great difficulty in passing it through the other House of Parliament this Session, considering the state of Public Business there. As regards the question of finance, I may remark that it would be hardly possible to maintain the marriage licence fees at the present figure; but at the same time it should be borne in mind that £12,000 is now paid for stamps, and the Government would probably not be willing to relinquish this sum. The recommendation of the Marriage Law Commission was that the fee should be reduced from £2 to 10*s*. or 5*s*. Then, it should be remembered that there is a growing fashion of being married by banns. Again, the fees which the Church is now receiving with regard to presentations and consecrations cannot be kept up. These fees have been considered by the two Archbishops and the Lord Chancellor; but I think we have fixed the scale too high. We acted according to the best information we had then received, but I think the fees will have to be reduced. Therefore, what with the reduction of marriage licences and of the fees I have just referred to, I think the noble Earl will experience some difficulty in raising the requisite funds. Nevertheless, I think the measure is one which it is very important to carry into effect. It provides an effective remedy for the administration of justice in these matters; and, although it may ultimately be necessary to have recourse to the Exchequer, I do not think the Bill will be entirely frustrated by the difficulties I have mentioned. Considering the financial part of the subject and the state of Business in the other House, there is not much prospect of the Bill being passed this Session; but it is, at all events, desirable that we should endeavour to promote this scheme of reform by assenting to the second reading of the Bill.

THE EARL OF HARROWBY thought that, if any three parishioners were to be empowered to institute a prosecution, the profession of a clergyman would be the only one in the country which would be deprived of protection. Moreover, the clergy would be placed in an entirely new position. Their Lordships ought not to lose sight of this very important point.

THE BISHOP OF CARLISLE rose to call attention to the fact that the noble Earl who had just spoken, and the noble Lord on the Woolsack, referring to the clauses which were withdrawn, had both spoken of three parishioners having the power of initiating proceedings against their clergyman. It should, however, be borne in mind, as had been remarked by the right rev. Prelate (the Bishop of Peterborough), that the clause in question was nothing of the kind. It proposed, in fact, that any three householders in a diocese should have the opportunity of prosecuting any clergyman they pleased. A power of the kind proposed to be given might affect the peace of half the dioceses in the kingdom. The noble Earl, in moving the second reading of the Bill, pointedly alluded to the diocese of Carlisle; and though the Chancellor of his diocese, his secretary, and the registrar had escaped, the apparitor had not been so fortunate. In explanation he wished to say he had no apparitor at all. When he went to the diocese he found there was none; and, looking forward to possible legislation, he felt some difficulty as to what he should do, and he contented himself by having the work performed without appointing an apparitor at all. A portion of the fees received had been paid to those who had discharged the duty of sending out notices, and the remainder had been paid to himself, and was held by him in a separate account at his banker's until it was ascertained what was the most just and proper mode of distributing the money. There was one important omission from the Bill, and that was that it left untouched the position of the Judicial Committee of the Privy Council. He would not now enter upon the kind of change that ought to be made, but he wished to bear his testimony—so far as he knew the feelings of the clergy and the laity throughout the country—to the conviction that any Bill which altered the rest of the Ecclesiastical Court system and left altogether untouched and unimproved the present condition of the Judicial Committee of the Privy Council, would not give satisfaction to the country.

THE BISHOP OF WINCHESTER said, as it seemed well understood that they should not divide on the second reading of the Bill, he would detain their Lordships only a few minutes. In the first place, he wished publicly to recognize the courtesy of the noble Earl (the Earl of Shaftesbury) in consulting his personal convenience by postponing for a short time the second reading; and next, he was thankful to the noble Earl for dealing with the question at all; because he was perfectly convinced that there was need of a measure of reform, and he felt it would be very difficult for anyone occupying a seat on the Episcopal bench to introduce with any hope of success a satisfactory measure, and he was therefore delighted to see a layman making laborious endeavours to remedy the evils that existed. In stating his case, however, the noble Lord in several matters exaggerated to a very great degree the existing amount of evil. He forgot to mention that the case which he cited as illustrating long delay and defeat of justice occurred many years ago—long before that great alteration of the law which allowed in these Courts the receiving of oral testimony and the cross-examination of witnesses—and he was therefore, unawares, discrediting the present system by that which could not have existed under it. It was desirable to correct the impression which might be formed from what the noble Earl said with reference to the duties performed by the Chancellors of dioceses. In a number of instances it was returned that no duties were performed by the Chancellor of a diocese. But the great use of a Chancellor was to be a local adviser upon a multitude of questions which were continually arising in a diocese, and it was a matter of the utmost possible importance that there should be some one of high character and acquirements who could be consulted privately, not by the Bishop only, but also by others; and by the advice so given in the course of the 26 years that he had held the office of Bishop he had known an amount of evil prevented and of good done quietly which, he was sure, was cheaply purchased by that which his Chancellor had received. With respect to what were called the visitation fees received by the Bishop, properly speaking no Bishop received any fee at all for a visitation; but there were certain procurations and synodals, not at all in the nature of fees, but fixed charges upon different benefices in a diocese, which the holders of those benefices had to pay in the year of the Bishop's visitation, and which came down from old times when the expenses of the visitation were very large; and when the Bishop, instead of going with his followers to the houses of the clergy, received a composition for his travelling expenses, and which formed what was called the visitation fees. In some instances these had been voluntarily given up by the Bishop and were not received at all; but a sort of debtor and creditor account was kept, and he had ascertained that in the case of his own large diocese of Winchester, while the absolute expenses paid by the Bishop's secretary amounted to £4,000, the whole amount of the synodals and procurations paid towards defraying these expenses was £100. Therefore, instead of being a valuable receipt to the Bishop, they were, at the most, only an ancient payment from certain benefices in mitigation of the larger expenses which the Bishop incurred in visitations. This, he thought, was not the impression which would be left upon the House and the country by the language of the noble Earl. There was some exaggeration with reference to the amount of work done by deputy registrars. No doubt in the old times very great abuses existed; but they had been by degrees almost eradicated. These abuses were almost all traceable to individuals holding patent offices, and the Bill of the noble Earl would leave the matter in this respect precisely where it was. The evils would, in the nature of things, as vacancies occurred, remedy themselves. He believed that the term "Secretary to the Bishop" was much more than 20 years old; at all events the office was not created that short time ago, but the duties of it were performed by the registrar, from whose functions they were separated by the Bishop of Lincoln, because he found the work was imperfectly done at a distance; wherefore he instituted the distinct office of secretary. The work of the secretary was not new; but it was part of the work formerly performed by the registrar. The officer was not at all a secretary in the sense in which the word was ordinarily used; he did not write the Bishop's letters nor do ordinary secretarial work; but he was a public officer of the diocese, the main part of whose work was to help the clergy in different forms which they had to go through, and if they had to employ a solicitor for the services rendered by the secretary the expenses would amount to six times as much as the fees received by the secretary, while, without assistance, clergymen not acquainted with the law would continually be involving themselves in trouble. It was important that these matters should be understood and duly considered before the Bill was discussed in Committee. The proposed allotment of revenue between the registrar of a diocese and the Chancellor of a diocese was quite a mistake. The Bill would largely increase the sum received by the registrar of the diocese of London. The office of registrar was very important in one way, and it was necessary that some one should be responsible for rightly registering the acts done; but the office was not one requiring a high degree of professional attainment. On the other hand, it was essential to make the office of Chancellor such that it would attract a man of ability, for the securing of a good Chancellor was a matter of the first importance to diocesan administration. He would venture also to ask the noble Earl to consider another delicate point. One of the great difficulties they had in dealing with those most painful cases of breaches of the moral law among the clergy was the low scale of punishment which they were empowered to award. They were now tied up in the administration of the moral discipline of a diocese by the traditional system of far too lenient sentences. A man might be guilty of repeated acts of adultery with his parishioners; he might be convicted; but the highest penalty it had been held a Bishop could inflict was suspension for a certain number of years. Such a clergyman, he (the Bishop of Winchester) said, should never be allowed to go back to his parish. He complained of the whole system of considering the endowments of the Church as being made for the benefit of the clergy instead of for the benefit of the parishioners. Where repeated acts of licentiousness or drunkenness had been committed, they ought to have a far larger power than they now possessed of delivering a parish from the terrible curse of an immoral clergyman. He hoped the noble Earl, if he dealt with clergymen at all, would really grapple with this question, and introduce some provisions into his Bill upon the subject. He could not, however, agree with the noble Earl (Earl Beauchamp) who spoke from the bench behind, who recommended the noble Earl to introduce provisions for dealing with criminal Bishops. The article in the Church of England was a singularly rare one. There had no doubt been a great deal of worldliness, self-seeking, idleness, and many other evils; but he thought criminal Bishops had been most rare in the Church of England; and he objected to the extension of jurisprudence, especially criminal jurisprudence, against non-existing evils. Besides, in this matter, there was a stringency applicable to such cases that did not exist with reference to the clergy, and the Archbishop had power to go to the extremest length of deprivation in certain cases. In conclusion, he thanked their Lordships for their patience, asking the noble Earl to consider the points he had raised with a view to legislation.

The Marquess of SALISBURY said, that the evident intention of their Lordships to read this Bill a second time must have resulted from a clear conviction in their minds that there were great evils to reform, and that the reform had been from one cause or another too long delayed. The noble Earl (the Earl of Shaftesbury) had undertaken this reform, and had pursued it with his usual perseverance and determination. But he (the Marquess of Salisbury) desired to draw their Lordships' attention to what was the real obstacle to legislation on this subject? The removal of 99 evils out of 100 would be effected by making ecclesiastical jurisdiction cheaper, easier, and more certain. The great evil complained of was that in criminal matters ecclesiastical jurisdiction was so tardy and expensive that no Bishop or layman, without exposing themselves to serious loss and almost pecuniary ruin, could cause justice to be done, or remove great scandals from a parish. It was most important, indeed vital, to remove that evil. What hindered legislation was that every legislator persisted in coupling the effort to enable the removal of that difficulty with the facilitating of ecclesiastical suits against persons thought guilty of holding unsound doctrine. They knew what was the state of matters in the Church of England at the present moment. But for the preventive of expense, the two parties in the Church of England would fly at each other's throats. That was a strong expression, but he feared it was too true with respect to the extreme members of the Church, and he was sure he would carry with him the feeling of the right rev. Bench when he said such a measure would be very dangerous to the unity, peace, progress—if not the very existence of the Church. He had a strong feeling upon that point. He would rather go on with any evil—he would rather suffer any scandal they had now to lament, than give such fatal facility of ecclesiastical litigation. The Church of England was in that condition that made it most essential they should loose no power of restraining hostility from breaking out. By merely making litigation cheaper the noble Earl would render his legislative efforts abortive. He would put it to him if facilitating litigation was a great object, yet facility to restrain criminals was a far greater object, and he ought to pursue those two objects separately. One he could attain certainly easily and immediately, the other could only be attained after long and most determined resistance. If he separated the two objects, his belief was he would speedily attain great and important results.

THE EARL OF SHAFTESBURY explained his object was to effect the important reforms he had indicated in the character and constitution of the Ecclesiastical Courts, and not to mix them up with matters of doctrine and discipline.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

Then the ECCLESIASTICAL PROCEDURE AND REGISTRY BILL (No. 85) read a second time and *committed* to a Committee of the Whole House on *Friday* next.

DOGS BILL—(No. 134.)

(*The Earl of Morley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF MORLEY, in moving that the Bill be now read the second time, said, that the 1st clause authorized the police to take possession of any stray dog, and to detain until claimed, the owner paying the expenses; notice was to be given to the owner, when he could be ascertained by the collar, or was otherwise known; and if the dog was not claimed within three days when the owner was not known, or within five days if he was, the dog might be sold or destroyed. The 2nd clause empowered any Court of summary jurisdiction to take cognizance of a complaint that a dog is dangerous, and, if satisfied of the fact, to order the dog to be destroyed. In cases where apprehension arose that that there were mad dogs in a district, the local authority was empowered to place restrictions upon dogs being at large within the district.

Moved, "That the Bill be now read 2^a."—(*The Earl of Morley.*)

THE DUKE OF RICHMOND thought the provisions of the Bill most extraordinary, arbitrary, and despotic in character. The Bill was introduced into the other House of Parliament in order to meet complaints proceeding from the North of England, where hydrophobia was stated to be on the increase, and, if the Bill were confined to the object of preventing the spread of hydrophobia, he should not object to its principle; but the Bill provided that any policeman, or other constable, might take possession of any dog straying on the highway, and detain it until claimed by the owner. Now, anyone acquainted with a hunting county knew that nothing was more common than for hound puppies to be straying about the roads in the country; and those dogs were by no means dangerous. In cases where the owner of the dog so taken possession of was known to the police by reason of the dog wearing a collar, or by any other means, information was to be given him; and if, at the expiration of five days, he had not claimed the dog and paid for its keep, the dog might be shot. There could be no reason, if the owner happened to be known to the police, why it should be provided that the dog must be known by wearing a collar, or other means. According to the Bill, a dog was to be taken to be dangerous which had bitten, or which had attempted to bite anybody; but he should be sorry to see any Act having such language in it go out of their Lordships' House. It was also provided that the enactments of the Bill should apply to dogs "at large;" and he wished to know whether a dog walking about in the owner's yard or garden would be considered a dog "at large." By the 2nd clause any Court of summary jurisdiction might order any dog deemed dangerous to be destroyed; and though an appeal was allowed to the Quarter Sessions, and though the Quarter Sessions might decide that the dog ought not to be shot, yet that decision would be of little avail if, during the owner's temporary absence from home, the dog had already been condemned and shot. He mentioned these points to show that the Bill would require considerable alteration in Committee.

THE EARL OF MORLEY said, he would take these matters into consideration.

Motion *agreed to;* Bill read 2ª accordingly; and *committed* to a Committee of the Whole House, on *Monday*, the 19th *instant.*

House adjourned at a quarter before
Eight o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 9*th June*, 1871.

MINUTES.]—Public Bills—*Committee*—Army Regulation [39]—r.p.

Considered as amended—Pier and Harbour Orders Confirmation (No. 2) * [127].

Considered as amended—Third Reading—Protection of Life and Property in certain Parts of Ireland [129], and *passed.*

Third Reading—Drainage and Improvement of Lands (Ireland) Supplemental * [173], and *passed.*

The House met at Two of the clock.

FRANCE—PARIS INSURRECTION.

QUESTION.

Mr. J. G. HAMILTON asked the Under Secretary of State for Foreign Affairs, If he can say whether there is any foundation for the statement which has been made abroad that several thousand British subjects took part in the recent insurrection in Paris?

Viscount ENFIELD: Sir, Lord Lyons reports that his attention having been called to a statement, alleged to have been made by Prince Bismarck, that upwards of 8,000 British subjects had assisted the Commune in Paris, he took every step in his power to ascertain the truth of that statement. He believes it to be erroneous, and that the number of British subjects who took part in the proceedings of the Commune may be counted by tens and not by thousands. The British Secretaries to the Embassy report that during the progress of the insurrection only one British subject is supposed to have been enrolled amongst the National Guard, and that among the great number of prisoners taken when the insurrection was suppressed, not more than from 15 to 20 British subjects were found among them. Upon inquiry, it is hoped and believed that evidence accusing them of any complicity in the designs of the Commune can only be proved against one-fifth, at the very outside, of that number.

SILVER COINAGE.—QUESTION.

Sir DAVID WEDDERBURN asked Mr. Chancellor of the Exchequer, Whether his attention has been directed to a discrepancy between the two Parliamentary Returns, No. 157, "Royal Mint, 19th April 1869," and No. 262, "Royal Mint, 31st May 1870;" the first showing for the nine years from 1860 to 1868 an apparent loss on the silver coinage of £5,473 4*s.* 6*d.*, and the second an apparent profit for the same years of £1,011,668 2*s.*; and, whether this discrepancy of £1,017,141 6*s.* 6*d.* can be accounted for by the difference between the "total amount paid for silver bullion," and the "real cost or value of (silver) metal?"

The CHANCELLOR of the EXCHEQUER, in reply, said, there were two sources from which the Mint derived the bullion or silver which it coined; the one was that which was open to all Her Majesty's subjects—namely, to go into the market and purchase silver bullion for that purpose at the market price. The other was that which they were obliged to do in order to maintain the currency in an efficient state—namely, to take the worn-out silver coin at its nominal value, by which, of course, a loss was sustained, as they gave new shillings and half-crowns in exchange for old. In the first Return alluded to by the hon. Baronet—which was made before he himself had anything to do with the Mint—the heading was certainly inaccurate. There were two columns—the one was the total value of the silver coined—that was, the number of pieces issued, which was the same in both Returns; but the second column was the real cost or value of the metal. That was the heading of it, and under that heading they included in the old Return not only the bullion bought by the Mint in the market, but also the money given in exchanging new coins for old, thereby mixing up together two things which were entirely distinct, and thus making that apparent loss. In order to correct that, they had in the second Return divided those two things; they had made one Return for the amount of money paid for bullion in the market, and another for the amount of money given in exchange for worn-out coin. And it was by comparing the amount paid for bullion in the market with the other Return, which included not only the amount paid for bullion, but also the amount given in exchange for worn-out coin, that the apparent discrepancy arose.

FRANCE—THE COMMUNIST INSURRECTION—ENGLISH PRISONERS AT SATORY.—QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether Lord Lyons will be instructed to take steps to prevent the deportation or execution of the ten or more Englishmen who are stated in the public journals to be at present prisoners at Satory until they have been publicly and legally tried?

VISCOUNT ENFIELD: Sir, Lord Lyons has taken the greatest pains to ascertain what number of British subjects were among the prisoners at Satory. Fifteen only could be at first discovered; he has heard of three more since. Of the 15 he has reported the release of four. Two others of the number have been traced to Brest. Lord Lyons has instructed our Consuls at Brest and Cherbourg to ascertain whether any British subjects have been sent to those ports, and to endeavour to obtain the release of any against whom there is not sufficient evidence of being guilty of any serious offence. Lord Lyons hopes the other British prisoners will soon be released. Indeed, with the exception of a boy 12 years old, named William Lowe, arrested behind a barricade with a pistol in his hand, whom the French hesitate to release, many other boys equally young having been found in the Insurgent ranks, there is reason to believe that the greater part if not all the English prisoners at Satory have been released. Lord Lyons was assured some days ago that summary executions had ceased in Paris, and no one would now be punished except after a deliberate trial and sentence by court-martial. He had written and spoken to M. Thiers and the French Minister for Foreign Affairs, and had been positively informed that no one would be punished without trial.

CATTLE TRADE.—QUESTION.

MR. NORWOOD asked the Vice President of the Council, Whether the Veterinary Department is prepared to relax in any way the restrictions on the circulation of cattle imported from Germany?

MR. W. E. FORSTER said, in reply, that the Government were not prepared to relax the present restrictions on the circulation of cattle imported from Germany. A very important deputation of butchers from the northern towns had waited upon him some time ago, and asked for permission to remove imported German cattle from the outports to inland towns—for instance, from Hull to Leeds or Manchester, under strict regulations for enforcing slaughter at the railway terminus so as to prevent the risk of spreading disease. The Government would have been glad to meet the views of that deputation; but, as he had informed them at the time, he much feared they would have been obliged to issue such precise and strict regulations as would have prevented the arrangement from being of much, or perhaps any, advantage to the trade. It was only fair, however, to acknowledge that both the corporations and the Railway Companies had shown a great willingness to carry out strict regulations. Independently of that difficulty, the Government had within the last few days received information which convinced them that this was not the time to make any alterations in regard to the importation of German cattle. They learnt from our Minister at Munich that cattle plague had appeared in Bavaria, near Munich, within the last few days; and although it was to be hoped that it would be suppressed by prompt measures, yet it was obvious that Germany had not yet recovered from the effects of the war, and that it would be inexpedient to make any relaxation in respect to German cattle. In the meantime, he was glad to believe that the late Order in reference to Dutch imported cattle had been of very considerable advantage both to the northern consumers and the farmers who were much in want of store cattle; and inquiry only increased his conviction that there was no danger of cattle plague from the Dutch imported cattle, and as little danger of pleuro-pneumonia as from the home traffic.

PROTECTION OF LIFE AND PROPERTY IN CERTAIN PARTS OF IRELAND BILL (*Lords*)—[Bill 129.]—CONSIDERATION.

Bill, as amended, *considered.*

Mr. M'MAHON said, he must express his regret that the Government, after consideration, did not intend to carry out the promise they had given when the Bill was in Committee, that they would prepare clauses for giving effect to an Amendment he had then proposed, for extending the operation of the measure to England and Scotland. He the more deeply regretted that, because he felt that, considering the course of the discussion in Committee, he should have had a very fair chance of carrying his Amendment on that occasion had he pressed it. It was quite clear from the evidence called by the Crown before the Westmeath Committee, that the Ribbon societies carried on their plans in England; that the leaders came over to England; that some of them lived in England; and, above all, that the watchwords and countersigns came from England. Mr. Seymour and Captain Talbot said that the Ribbon organizations were directed from England, and that the delegates were to be found in Manchester, Liverpool, and Glasgow; and, therefore, it was quite clear that if the Bill was to be operative, it should give to the Lord Lieutenant power to arrest men wherever they might be found, whether it was in England, in Scotland, or in Ireland, and the object of his present Amendment was to give such a power. Striking out Clause 2 and inserting Great Britain in Clause 8 would have made the Bill operative throughout the United Kingdom. Instead of that, however, the noble Lord the Chief Secretary for Ireland (the Marquess of Hartington) had given Notice of his intention to add after the word "arrested" the words "in any part of Ireland;" and he had made a similar alteration in the form of the warrant, thus confining the operation of the Bill entirely to Ireland. As the Bill now stood, the moment the Ribbon leaders took shipping from the Irish Coast and came to England or Scotland, they might defy the law, and live in security, being almost connived at and tolerated by the Government. The Bill would be valueless, unless a power were given of arresting in England those persons who might fly here from Ireland in order to avoid its operation in that country. Surely no Englishman could wish that this country should be used as an asylum by the miscreants who had disturbed the peace of Ireland, and therefore he did not think that there would be any serious objection on the part of hon. Members to accept the Amendment he proposed; and, further, he thought it would be unjust and unfair to Ireland to allow the Ribbonmen who might think themselves in danger in that country to come over here for the purpose of concocting schemes with impunity for creating further disturbances there. He objected altogether to Coercion Bills, which had been tried without success from 1760 to 1870—the cause of their failure to preserve the peace being that immediately after they had been passed a new power had almost invariably been conferred upon landlords, enabling them to evict their tenants with greater readiness. He thought that right hon. Gentlemen should have gone beyond their Act of last year, and should have still further amended the law of landlord and tenant in Ireland. They should have put some check upon the enormous power of the landlords; they should have assimilated the Poor Law of Ireland to that of England, and should have established Union rating in that country. This Bill had been forced upon the House by the grand jury of Westmeath, and he thought that the time had come when the grand juries of Ireland should be placed upon the same footing as the grand juries occupied in England. In conclusion, if a Coercion Bill were to be passed at all, it should at all events be an effective one, which he did not believe the present one would ever be, unless his Amendment was accepted, for should the contrary be the case, the measure would be merely so much waste paper. Under these circumstances, he would beg leave to move that Clause 2 be struck out.

Amendment proposed, to leave out Clause 2.—(*Mr. M'Mahon.*)

Question proposed, "That Clause 2 stand part of the Bill."

Mr. WEST said, he would observe that had the Bill come before the House in the form in which the hon. and learned Member for New Ross sought to amend it, it would have been objectionable for grave constitutional reasons, which he should have taken the liberty to lay before the House; as it was, he would confine his observations to the practical difficulties to which this Amendment was obnoxious. The Habeas Corpus Act should not be suspended in England, merely because disturbances existed in a certain limited part of Ireland. The Bill was made to extend to the whole of Ireland, not because it would be necessary to put it in force over the whole of that country, but merely because there was no natural boundary by which the particular district in which it was sought to restore order could be accurately defined. If any person who had offended against the law in Ireland crossed over into this country, he might be arrested under the ordinary law, and dealt with accordingly. It would be impossible, owing to objections of a technical character, to apply the Bill to England as it was at present framed. Of course by Act of Parliament they could make a warrant of the Lord Lieutenant run through every part of the United Kingdom; but suppose it was sent to England or Scotland, how could they work it? Suppose it was sent to Manchester; the Manchester police were appointed by the Watch Committee; and a member of that police would not know how to act in the execution of a warrant, signed by some one of whose existence he would very probably be quite ignorant Suppose an Irish detective were sent to this country to take Michael O'Reilly, that detective might probably make a mistake in apprehending a wrong person of that name, and thus an innocent person might be locked up for two years. There should be no power to remove a man from his own district until he was convicted. In England the widest distinction was drawn between men who had been convicted, and men who had not. It would be enacted by the Bill that all persons who were arrested in pursuance of it should be subject to such treatment in prison as the Lord Lieutenant might direct; did the hon. and learned Member for New Ross mean that the Lord Lieutenant should give directions to magistrates in England and Scotland as to the manner in which persons were to be dealt with in English and Scotch prisons? He thought it odd that private Members should seek to arm the Government with more arbitrary and extraordinary powers than were demanded by Government itself, and at which the House itself had been alarmed; and he was also rather surprised to find private Members so willing to surrender the privileges of the subject in England and Scotland, merely because a state of disturbance existed in Ireland. If the Government had asked for such powers he should have resisted their demand to the utmost of his power; he would never consent to place in their hands extraordinary and unconstitutional powers, which even they did not demand as necessary for the peace of Ireland.

Mr. CONOLLY said, the flaw of the Bill was, that it regarded as criminals men against whom there was nothing but suspicion. He thought the Bill ought to be amended by inserting a clause to the effect that the Lord Lieutenant's warrant should run only against the persons named therein, and that they should be arrested only by the constables to whom such warrant was directed, provided always that in case the persons named should be found or suspected to be in England or Scotland, such warrant should, previously to its being acted upon in those countries, be endorsed by a justice of the peace of the district in which the persons so named should be residing. Nothing could be more invidious than that England or Scotland should be placed under the ban of this odious Bill; but it was necessary that a criminal should be followed to his den, be it at Manchester, Glasgow, Paisley, or any other place in Great Britain.

Mr. W. H. GREGORY said, he wished to see this question argued on its general merits, and not on purely technical grounds. When the point was discussed before, it was seen that the objections were very great on technical grounds; but they who were in favour of such a provision as his hon. and learned Friend the Member for New Ross wished to introduce, were perfectly satisfied with the assurance of his noble Friend the Chief Secretary, that a clause would be framed which would get rid of all those technical difficulties, and effect the object they all had in view. The noble Marquess, however, said the other day that he was unable to carry that pledge into effect. There might have been very great objections on the part of Her Majesty's Government to the introduction of such a provision, but he wanted the noble Marquess or the Solicitor General for Ireland to show that the Bill would be efficient without it. He, and many others who thought a Bill of this kind necessary, felt humiliated at the constant introduction of such measures, and therefore when introduced they wished them to be effective. His hon. and learned Friend (Mr. M'Mahon) had voted against the Bill; he had voted for it, but they were both agreed in endeavouring to render the Bill effective. The Bill was founded on the correct assumption that there were a certain number of men in Westmeath and places adjacent who had completely overridden the law of the land; that these men were perfectly notorious to the authorities; and that if the Bill were passed justice could at once lay her hands upon them. But, as the Bill now stood, justice never could lay her hands upon a single one of them, for they would put the sea between themselves and her as soon as they found that the Bill was about to become law. Now, his wish was, that the measure should be the least vexatious possible to the well-meaning portion of the population, at the same time that it was the most formidable to the evildoers. He had never supposed that those evildoers would be allowed to remain within 12 hours of the scene of their exploits, and that they would have nothing to do but to remove to Manchester or Glasgow, whence they could put themselves into communication with their associates. The consequence of that would be that their edicts would be respected; and when, at the end of two years, they came back, they would be received as heroes by an admiring population. He had been informed that one of those heroes was in doubt whether he should set out for England or America, and that he would not announce his intention to his friends until he ascertained what determination the House of Commons should come to. Now, whether such persons resided in Liverpool, Manchester, or Glasgow, they ought to be subjected to the same law to which they would be amenable if they resided in any part of Ireland. Yesterday he had met a most experienced magistrate from Ireland, who told him that he was in favour of the suspension of the Habeas Corpus, provided the evildoers were to be driven out of the United Kingdom; but, if they were not, he should never dream of passing so hateful an Act as the one before the House. This was not the first time that the cry was raised—"Oh, spare my English subjects;" but there was not a human being in England or Scotland that could by any possibility be inconvenienced if a clause were introduced enabling the Lord Lieutenant's warrant to run in England and Scotland against any person that had been living in Westmeath since the 1st of January, 1871. If the Bill should happen to be effectual, let the Government have the credit of it; but if it should not be effectual, let not those who wished to extend the operation of the measure, in the manner suggested, be considered responsible for its failure.

THE MARQUESS OF HARTINGTON said, he would not trouble the House with many remarks on this question, for he could not conceive that it was seriously intended to prolong the debate. No doubt it was quite open to hon. Members to criticize the course of the Government or the form in which the Bill now stood; but he could not believe that any section of the House seriously intended to force upon the Government powers which after full consideration and upon their responsibility—for it was they who were responsible for the preservation of life, property, and peace in Ireland—they declined to assume. He entirely agreed with his hon. Friend the Member for Galway (Mr. W. H. Gregory) that it was desirable to discuss this question on its merits, and not on technical grounds. Of course, his hon. and learned Friend the Member for Ipswich (Mr. West) had, upon technical grounds, established a strong case against the Amendment. But if the Government thought it desirable, clauses might have been framed to enable the writ of the Lord Lieutenant to run in England and Scotland. He did, in pursuance of the pledge he had given, endeavour to have such clauses framed; but, in the course of the inquiry which it was necessary to make, the Government had to consider the whole question very carefully, and to see whether it was essential to the objects of the Bill so very greatly to increase the powers of the Lord Lieutenant, for there was no doubt that to make the whole of England and Scotland subject to the warrant was an immense extension of powers which he had already described as unconstitutional. The Government would, in his opinion, be scarcely justified in asking for the extension of the arbitrary powers which the Bill would confer upon them, unless they thought that such extension was absolutely necessary for the preservation of life and property in Ireland. That it was so they would not undertake to say; and, if they were intrusted with the additional powers which some hon. Members were anxious they should possess, he did not believe that they would use them in more than two or three cases of persons leaving Westmeath for Liverpool or Manchester. The great object of the Government in bringing in the Bill was to resist that terrorism in Westmeath which rendered it impossible for the respectable and peaceable inhabitants there to maintain order for themselves; and they had not been able to hit on any other mode of putting down that terrorism, except the unconstitutional one which the House was then engaged in discussing; but they did not think that system would be continued when these powers were granted, and they did not believe that the residence of one or two persons in Liverpool or Manchester would contribute to the continued existence of that terrorism. His hon. Friend the Member for Galway had attempted to show that there was something invidious in the course which the Government were taking, and that, although they were ready enough to suspend the Habeas Corpus Act in Ireland, they hesitated to do so when England was concerned. Now, for his own part, he believed the English and Scotch Members were perfectly willing to give the Government the powers in question if they were in a position to say that they were required; but that was not their opinion. It might be contended that, theoretically speaking, there was no better reason for extending the operation of the Act to Cork or Belfast than to Liverpool or Manchester; but the Government had taken the only boundary line which they could adopt, which was the sea, and it was impossible for them to fix on any second line such as that proposed. He had no doubt the Bill would be efficient without any such power, and its effect had already been to reduce the number of outrages to almost nothing.

MR. M'CARTHY DOWNING said, he should like to know what good reason there was why Captain Duffy, if he went to Glasgow, where it was said the plots of the Ribbon conspiracy were hatched, could not be touched, while the hand of the law might be at once laid upon him in Cork or Kerry. If Captain Duffy had left Westmeath at all, he ventured to say that he was not very far from that House. He wished the Solicitor General for Ireland would state why he was under the impression that Duffy had gone to America? So far as he was aware, he neither had gone to America nor had any intention of going there. The probability was that he would take up his residence in some town in England, where the warrant of the Lord Lieutenant could not reach him. There was no difficulty, he maintained, in framing a provision to meet such a case; and the real reason why the Government had not done so was clearly, as had been indicated in an article in a leading journal, because they knew that the English Members would protest against a course which would interfere with the liberty of the subject in this country by suspending the Habeas Corpus Act. That, however, which they dared not do in the case of England, they had no hesitation in doing so far as Ireland was concerned. Mr. Peter Burrowes, speaking in the Irish House of Commons in June, 1809, asked whether the 550 English Members would show the same reluctance in suspending the Habeas Corpus Act in Ireland as in England? Those were prophetic words, and they had now been verified.

DR. BALL said, that two entirely different questions had been discussed in this debate—one being the propriety of the particular Amendment now before the House, and the other being as to whether additional provisions should not be introduced into the Bill in order to enable the warrant of the Lord Lieutenant to have effect and be operative in England. With regard to the Amendment now before the House, he coincided with the noble Lord the Chief Secretary for Ireland in the view that that Amendment would not effect the object sought by those who promoted it; and that, if it were necessary to have additional legislation, special provisions of an affirmative and positive character should be introduced into the Bill. The hon. and learned Member for New Ross (Mr. M'Mahon) did not, however, confine himself to this one Amendment;

for, in the 8th clause, he proposed to change the expression "within Ireland" into "within the United Kingdom." But even that alteration, together with the present Amendment, would not carry out the object in view. The 7th clause, which related to arrest, empowered the Lord Lieutenant to issue his warrant under particular circumstances, and to give that power to the Lord Lieutenant, or to anyone, merely authorizing him to issue his warrant, would not of itself enable the warrant to run or to be executed, except where the jurisdiction of the individual to whom the power was given was independent of the Act and already attached to his office. Under these circumstances, he regarded the Amendment as objectionable, and as incapable of carrying out the purpose in view. Of course, provisions of an affirmative and positive character might be introduced into the Bill, so as to enable the Lord Lieutenant's warrant to run and be executed in England; and several of the objections which had been made to such provisions had been caused by a misunderstanding of the character of the Bill. The Bill did not give an unlimited power of arrest; it only gave power to arrest those who had been domiciled in the county of Westmeath since the 1st of January last. If the Lord Lieutenant's warrant had been made to run in England, it would have been necessary to have provided that those persons who were arrested in this country should not be tried or adjudicated upon here, but should be at once returned to Ireland. If the noble Lord the Chief Secretary for Ireland, after consulting with the Lord Lieutenant, whose opinion deserved the greatest respect on any matter connected with the administration of the law in Ireland, had asked the House to give him such a power, he would have supported the noble Lord, without caring whether such a course was popular or unpopular. But when the noble Lord, after deliberation, declined to ask for this power, he would not take the responsibility of interfering with a decision which he believed to be honest, *bonâ fide*, and well considered. He could not, therefore, support this or any other Amendment which tended to embarrass the Government in putting into execution the law and repressing crime in Ireland. The Bill was in a shape for which the Government were responsible, and there should now be an end of discussions which were productive of no good, and which occupied time with a perpetual renewal of topics ending in nothing.

Mr. SYNAN said, he thought it inconsistent on the part of those who objected to the Bill that they should propose to extend its operation. The Irish people did not wish that the Act should be extended to England. They had protested against its application to Ireland, and they did not desire its extension, either directly or indirectly, to any other part of the Empire. It was no consolation to them, when their own Constitution was suspended, that it should be extended elsewhere. He could not, therefore, support the Amendment, and would recommend its withdrawal.

Mr. BRUEN said, he did not fear that the liberties of English subjects would suffer if the Amendment were carried. Any Irish constable armed with the warrant of the Lord Lieutenant would, he presumed, be accompanied by an English constable, whose local knowledge would prevent the apprehension of the innocent; and no warrant could be directed against an English resident under the Act, because it provided that no person could be arrested unless there was ground for suspecting him to be a member of a Ribbon society and a resident in the district proclaimed. The Amendment was necessary, because the natural refuge of Ribbon conspirators would be the large English towns; and, beside that, it would be most impolitic to confirm a feeling among Irishmen that, while the liberties of the English were to be protected, Ireland could be dealt with at pleasure. Such a feeling had already been excited by that exceptional legislation in which principles adopted for Ireland were repudiated as inapplicable for England and Scotland.

Mr. PIM, in stating that he would support the Amendment, said, that no case had been made out against any place except Westmeath and parts of contiguous counties, and therefore the arguments for making the warrant run through Ireland applied equally to making it run throughout the United Kingdom. The policy of acting towards Ireland as a nationality, only for purposes of repression, was most dangerous to the interests of the country; and as he believed the proposal of the Government would be fruitful of evil, he purposed voting for the Amendment.

Colonel STUART KNOX said, he could not believe more powers were necessary than the Government asked for, but recommended Irish Members, if they were in earnest, boldly to move the abolition of the office of Lord Lieutenant; then the warrant of the Home Secretary would run throughout the whole kingdom. The Motion, too, would not be without reason, because there was more jobbery at the Castle, in Dublin, than in any other Department in the State; and, if the office of Lord Lieutenant were abolished, the Castle would then be at the service of one of the Royal Family.

Mr. M'MAHON said, he would ask permission to withdraw the Amendment, as it was impossible not to see what the result would be.

Amendment, by leave, *withdrawn.*

The Marquess of HARTINGTON moved the addition of the following Proviso to Clause 12:—

> "Provided always, That the provisions of the sixty-fifth and sixty-sixth sections of 'The Landlord and Tenant (Ireland) Act, 1870,' shall not apply to any county cess levied under the authority of the said 'Peace Preservation (Ireland) Act, 1870,' and the Act and Acts therein designated or referred to as the Peace Preservation Act, as altered, amended, and continued by this part of this Act."

Mr. MITCHELL HENRY said, he could not allow the Bill to pass the third reading without recording an emphatic, although he knew an unavailing protest, against those provisions which imposed heavy pecuniary penalties on disturbed districts. The extra police tax was condemned by almost every witness before the Select Committee, and the House could hardly be aware of the crushing severity with which it fell upon many poor and loyal subjects of Her Majesty. He knew that this tax was justified, on the ground that the payers of it sympathized with the authors of outrages, but that conclusion was far too hasty. Did the inhabitants of Paris sympathize with the Commune; or were they not, in a large proportion, paralyzed with fear, and terrified into inaction? It was precisely the same thing in Ireland — nothing spread more rapidly than that demoralization, and it was most unwise and impolitic to visit such a state of things alike upon the just and the unjust; and, moreover, he contended that it was altogether illogical. Was it not, let him ask, the first duty of an Executive Government to preserve life, property, and order; and, if it failed in that, did it not abrogate its primary functions? Well, in some parts of Ireland, Government had for years failed to perform the primary duty, and it mattered not, for the purpose of his argument, from what cause that failure had arisen. The fact remained—that a power greater than that of the Government had sprung up and been tolerated for years — namely, the power of secret societies; and that the poor man had come to know to his cost that if he aided the course of justice his life and property became the forfeits, and they, the Legislature, sitting there in security, and not personally feeling any of those things, expected of their humbler brethren a courage and consistency they might possibly not exhibit themselves if the circumstances were reversed. And now that the Legislature had awakened from its lethargy and determined once more to become the masters, and put the law in operation, were those poor creatures, who were really not the supporters, but the victims of these societies, to pay penalties which, in reality, were absolute ruin and civil death to them? He did earnestly trust that the Government would re-consider their position in that matter, and endeavour to discover whether they were not defeating the objects they sought to attain by that exceptional legislation that was to make the people of Ireland loyal and peaceable. The government of Ireland was far too centralized. Instead of consulting the resident gentry, who were thoroughly acquainted with the state of the country, they were far too fond of relying on the reports of the inspectors of constabulary, who were brought up in a semi-military atmosphere not likely to inculcate respect for civil and constitutional rights, and of resident magistrates who were not chosen for knowledge of law, but on other considerations. In all parts of Ireland there were deputy lieutenants and magistrates, many of whom were sober-minded, experienced, and liberally disposed gentlemen, who ought to be much more consulted and referred to by the authorities than it was now the fashion to do. In short, the Government must make up its mind that Coercion Acts would not longer be accorded to them; and unless they could reconcile the different orders of society to each other, and the whole people to constitutional rule, they would find that they would not save society in Ireland, any more than centralization and bureaucratic government saved it in France.

THE MARQUESS OF HARTINGTON said, the question of the extra police tax had been fully discussed in the Committee, which did not take the trouble of dividing upon it. The hardship of that tax had been greatly exaggerated. Almost the whole cost of the Irish constabulary was defrayed from the Estimates, and there was certainly no injustice, and he thought but very little severity, in making particular districts bear the charge for any extra police force that was necessary within them.

Amendment *agreed to.*

MR. GLADSTONE said, it was a matter entirely for the consideration of the House, but it would be for the convenience of the public service if the House were disposed to read that Bill the third time forthwith. There had been full Notice of the Report, and ample opportunity for raising and disposing of every point to which hon. Gentlemen had wished to direct attention, excepting so far as the principle of the measure went; and therefore with the permission of the House, he would move that the Bill be now read the third time.

MR. CHARLEY said, it had been stated that no English Member had risen to protest against the policy of Her Majesty's Government towards Ireland. As an English Member he now rose to protest against that policy, not having been so fortunate as to catch the Speaker's eye on a previous occasion. The policy of the Government might be summed up in two words—"confiscation and coercion;" confiscation for the Irish Protestants, and coercion for the Irish Roman Catholics. Some hon. Gentlemen seemed disposed, like Bishop Nulty, to praise the Government for confiscating the property of the Irish Protestants, and to blame them for coercing the Irish Roman Catholics. He, for his part, ventured to blame them for doing both. Was it not a mockery that the Government, in the teeth of the fact that they were obliged to ask for the renewal for two years of a most unconstitutional measure, should describe their policy in regard to Ireland as a beneficent policy? The answer to their policy had been communicated to the House by the hon. Member for Meath (Mr. Martin). The Prime Minister had spoken of the hon. Member for Meath in rather disrespectful terms, as a sort of antiquarian curiosity; but it was the policy of the Government which had galvanized into life the views which that hon. Member represented. That hon. Member only asked that Ireland should have a Parliament of her own, but those who supported him asked that the Union should be repealed. The policy of the Prime Minister during the last three years had given a greater impetus to the Repeal movement than O'Connell had been able to give it during the whole of his career, inasmuch as that policy had united Protestants with Roman Catholics in an endeavour to obtain a repeal of the Union, a result which O'Connell had never been able to obtain. In 1869 Her Majesty's Government sent to Ireland a message of peace; in 1870 they sent her a message of peace with one hand, while they held a drawn sword over her with the other; and in 1871 they were unsheathing two swords against her, without sending her any message of peace whatever. He (Mr. Charley) admired the ingenuity of the right hon. Gentleman the Prime Minister, as he listened to the Queen's Speech. The right hon. Gentleman had assigned as a reason for not introducing the Irish Education Bill this Session, that agrarian outrages still prevailed in certain parts of that country; but the real reason for his declining to introduce such a measure was, because he dreaded that it would split up his followers into two hostile camps. The right hon. Gentleman also excused the non-introduction of such a measure on the ground that "Ireland required a period of calm." A period of calm! One would have thought the right hon. Gentleman's messages of peace would have had a soothing effect upon the nerves of his patient, and that a third message of peace would have completed her cure. But the policy of the right hon. Gentleman, instead of soothing the nerves of his patient, only seemed to act as irritants, and he was now obliged to stand over his patient with two drawn swords in order to keep her in order. He was not surprised that the right hon. Gentleman had taken shelter behind the Westmeath Committee; because, after the language he had addressed to the people of South Lancashire, he might well be ashamed to propose the suspension of the Habeas Corpus Act. The right hon. Gentleman, on the occasion to which he referred, had based his policy with regard to Ireland on the maxim that the suspension of the Habeas Corpus Act indicated a state of things only one degree short of civil war. The result of his having had Ireland at his feet for the last three years was, that he had been compelled to introduce into that House to renew for two years longer one of the most unconstitutional measure that had ever been proposed, and to ask Parliament to suspend the Habeas Corpus Act with respect to a large part of that country. The right hon. Gentleman might well apply to his Irish policy the motto that he had suggested should be applied to the Irish Church—"Total Failure."

MR. HENLEY said, he hoped that this case would not be regarded as furnishing a precedent for reading Bills of this character without Notice a third time, immediately upon the Report being agreed to.

THE MARQUESS OF HARTINGTON said, he could assure the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) that no Notice was ever given in cases where it was proposed that the Bills should be read a third time immediately after the adoption of the Reports. The Amendments which had been made in the Bill on the bringing up of the Report had been of a purely verbal character, and, as the right hon. Gentleman at the head of the Government had said, the Motion for the third reading of the Bill was made solely on the understanding that the proposal would be generally accepted by the House.

MR. CONOLLY said, he must protest against the noble Lord opposite taking upon himself to define the limit of the responsibility of the Government with regard to this Bill. The Bill, in order to be complete, ought to have enabled the miscreants who escaped from Ireland to be followed up into their lurking places in England. He was sorry that a mere technicality had interposed between him and discharging the duty of impressing on the noble Lord the Chief Secretary the necessity of making that addition to the Bill.

MR. M'MAHON said, he thought that the fact that an election was about to be held in Westmeath was a good reason for postponing the passing of the Bill.

Bill read the third time, and *passed,* with Amendments.

ARMY REGULATION BILL—[BILL 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

COMMITTEE. [*Progress 8th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Compensation to officers holding saleable commissions).

Amendment again proposed,

In page 2, line 24, after the word "passed," to insert the words "Provided, That where such officer shall die while serving, his widow or children shall be entitled to receive the regulation price of the Commission which was held by him on the said appointed day."—(*Sir Tollemache Sinclair.*)

Question again proposed, "That those words be there inserted."

SIR TOLLEMACHE SINCLAIR said, that as he was unable to succeed in making himself heard, and in doing justice to his Amendment last night, he asked for permission to say a few words further upon the same subject. He could not refrain from saying that he thought that when hon. Members like himself but rarely trespassed upon the attention of the House, and when they showed a desire not to waste more of its time than was absolutely necessary, they had a right to expect a better reception than he had met with last night. Some time since he had attended an indignation meeting at St. James's Hall, and he had then thought that a more unruly or more noisy meeting could not have been held; but since the occurrences of last night he had changed his opinion, and he now begged to apologize to the gentlemen in St. James's Hall for having formed too low an opinion of them. He believed he was the first Member to give Notice of an Amendment on this subject. The Amendment of the hon. and gallant Baronet the Member for Norwich (Sir William Russell) was only defeated by a majority of 16, and, considering the number of persons who sat on the Treasury bench, that defeat was tantamount to a victory. He (Sir Tollemache Sinclair) hoped he should be able to carry his Amendment with or without the consent of Her Majesty's Government. The widows and children of officers who died from natural causes, he thought, had a right to be paid, not only the regulation, but the over-regulation price, if other officers received the same. He was a strong opponent of over-regulation prices; but if it were decided that other officers should receive the over-regulation price, the widows and children of officers who died from natural causes should receive the same. The objection of the Shylock of the Treasury bench was that it was not so nominated in the bond. The Government by this Bill would violate the contract between them and a British officer in this way—hitherto an officer entered the Army under a system by which promotion was obtained by seniority. If he conducted himself properly it was a matter of certainty that he would eventually reach the highest rank in his regiment; but, under the proposed system of selection, promotion in the Army would be infinitely less rapid than before; and unless the Government brought before the House an adequate system of retirement, that promotion could not be maintained at proper speed. He thought that promotion in the British service should at least be as rapid as in the Prussian service, and that British officers would have reason to be satisfied with that rate of promotion. It was no answer to say if an officer was not satisfied, let him retire; that was a very heartless way of dealing with men who had devoted their lives to the Army. Last night he saw in the Library a Return of the Secretary of State, which showed that the entire difference between paying regulation down and paying over-regulation under the Government plan was £1,100,000. The country, and, he believed, the majority of the House, felt that justice ought to be done in the case of officers who died from natural causes; that justice ought to be done to the widows and children of officers who died from such causes; and when the cost of doing that justice was so paltry, the country would wonder at the obstinacy with which the Government refused to make that small concession. To spend £1,000,000 in that way would be found to be economical in the long run. He most strenuously complained of the regulation by which widows were prevented from obtaining the value of their husband's commission, unless the officer survived for six weeks after sending in his papers, and would state that his sister had, in consequence of the death from small-pox of her husband, a major in the Army, lost £5,000, while she only received a pension of £70 a-year, which was not quite 1½ per cent on the amount. Officers by being thus deprived of their property at death were thus placed upon a footing with the felon. Would the Government continue to insist on this moral suttee by the widow of an officer who died from natural causes? He wished to know why this dead set was made at the widows and children of the officers of the Army. Future officers must be humanely dealt with; public opinion insisted that their widows and children should be pensioned, and why should not something approaching to justice be done in the case of the present officers? There was such a thing as being too clever by half, and the Secretary for War had devised a system of enlistment on short service, which was likely to be a failure. He ventured to prophesy that if the right hon. Gentleman insisted on depriving the widows and orphans of officers of their just rights he would be too successful; in his anxiety to avoid Scylla, he might run into Charybdis; and he might find himself left at last with stripling officers to command raw and unfledged recruits. It was objected that to pay down the regulation price would be equivalent to increasing the pay of the officers; but if the Government thought the pay was sufficient, they were bound logically to reduce the pay of the officer of the future by the amount of the interest on the value of his commission, and the amount of the insurance on his life. In that manner the pay of the captain would be only £60 a-year. He held, however, that the pay of the officers in the British Army was too low. The result of the present system was to inflict another hardship on British officers, many of whom were prevented from marrying until a late period of life, because the families to which they wished to ally themselves were unwilling to run the risk of their widows losing the whole value of the commission. The regulation in question, therefore, was contrary to public policy, to the welfare of the officer, and to the true interest of the nation. The value of the commission and a pension were given to the widow of an officer killed in action; but suppose the officer had been wounded, and lived six months and one day; then he forfeited the whole value of the commission, and his widow and orphans were put off with a paltry pension. What about the officer who might be killed in a riot, or who died of some disease contracted in the service? Was that officer to be punished by the forfeiture of his commission, instead of the price being paid to his widow? In 1867 an officer in bad health sent in his papers, accompanied by a medical certificate that he was in a very critical state. The War Office accepted the papers, and agreed that his commission should be sold; but there was some delay in gazetting him out of the regiment, and in the meantime he died. Upon that the senior non-purchase officer claimed the step gratuitously; the matter was referred to the War Office, and it was decided that as the papers had been accepted the commission should be sold. But it was owing, he believed, to that case that this monstrous six weeks' regulation had been made. He had proved that to confiscate the commission was contrary to justice, expediency, and humanity, and he trusted he should now be supported by every man with a heart in his bosom.

Mr. CARDWELL said, the hon. Baronet the Member for Caithness (Sir Tollemache Sinclair) had done him the favour to compare him to Shylock. He feared the hon. Baronet would suspect him of being ironical if he were to return the compliment, and therefore he would not compare the hon. Baronet to Portia. Seriously, they had really had a great abuse of that liberty of speech which was the privilege and ornament of the House of Commons. He had been a good while in that House; but he had never before heard there what in other edifices gentlemen were accustomed to listen to, a discourse lasting about the same period—namely, half-an-hour, every word of which they had heard from the same performer on the last occasion. [Sir Tollemache Sinclair: No, no!] Now, he must really appeal to the Committee whether it was conducive to the credit of Parliament and the conduct of Public Business that they should occupy their time in that way. That speech of the hon. Baronet's they had just heard was not only listened to by a fuller House—[An hon. Member: It was not listened to.] All he could say was, he had listened to every word, and recognized it all over again. His right hon. and gallant Friend (Sir Henry Storks) having last night given the answer to the Motion of the hon. Baronet, he should be taking a great liberty with the Committee if he went at any length into the matter. The hon. Baronet had said that what caused him to bring the question forward was a case with which he was well acquainted many years ago, and then he referred to another which occurred in the time of his predecessor, the right hon. Baronet the Member for Droitwich (Sir John Pakington), and was brought under his predecessor's notice in 1867. The object of the Bill was not to go back and remedy all the abuses of the purchase system; and he would freely admit that that was one among the many evils of that system that had made him desirous of abolishing it. What they were going to do now was to indemnify those whom this Bill might injure, and it would be against the object of the Bill, as explained by his right hon. and gallant Friend last night, to accept the Amendment.

Colonel C. H. LINDSAY said, he would remark that the hon. Baronet the Member for Caithness (Sir Tollemache Sinclair), who came very far North, had no doubt given the Committee a doubly-distilled speech; but he had good reason and was justified in doing so, because in consequence of the Committee exhibiting signs of weariness on the previous night, at a time when Progress ought to have been moved, he was unable to command the necessary attention. The subject which he had brought forward was very important, and it ought to be thoroughly discussed. It seemed to be rather inconsistent with the declarations of the Government, who professed that complete indemnity should be given to the officers of the Army upon the abolition of purchase, that there should be the slightest sting left in the tail of the new system when the old one was abolished. The small proportion of officers' deaths while serving was not worth the preservation of so cruel and unnecessary and unjust a regulation; and now that a great measure for Army reform was before Parliament, it was a proper time to remove the greatest blot in the administration of the Army. If the regulation price of commissions were to be paid down at once, of course the question would be at an end; but as the Government had set its face against any officer being repaid until he retired, it would be only right to the Army, and especially to the widow and orphans of an officer who had died whilst serving in time of peace, that a concession of some sort should be made. And as he apprehended it was not the wish or intention of Her Majesty's Government to make any money out of what was the rightful property of the family of a deceased officer, it was undoubtedly a fitting opportunity for considering the Amendment of the hon. Baronet the Member for Caithness. He should like to be informed upon what he considered an important point, and that was, what would be the destination, or to what fund or purpose would the money so forfeited on the death of an officer be consigned? Under existing circumstances the steps went for nothing upon death vacancies, which was cruel indeed, because the family lost it. But now when purchase was to be abolished, the circumstances were different; and as the money would have had to be paid to the officer had he lived and retired, he wanted to know where it went to? It must be somewhere, for by taxation the money to meet the abolition of purchase was being raised. Was the State or the Reserve Fund to be the gainer, and credited with it because it had not got to pay it? He wished to press that question on the Government now, as it involved a point entailing a very great cruelty to the family of a deceased officer, and a blot on the administration of the Army.

Colonel ANSON said, he wished to know whether the commissions of those officers had ever been sold to the officers who succeeded them?

Major General Sir PERCY HERBERT said, that the right hon. Gentleman the Secretary of State for War had stated that he rose in sober earnestness; certainly sobriety always distinguished his remarks to the House. But he had drawn a little upon his imagination when he referred to the similarity of the hon. Baronet's remarks to those made by him last night, because if ever there had been a noisy House in the world it was the House which the hon. Baronet addressed yesterday evening. That was some justification, therefore, for the hon. Baronet repeating some of his remarks. There was a point in favour of the Amendment which had been entirely shut out of view, and that was, that it was a very impolitic thing for Government to have a pecuniary interest in the death of their servants. During the Crimean War the regulations had been relaxed, and it was arranged that the regulation price should be paid to the representatives of an officer. But in the case of an officer dying in an unhealthy station, like the West Indies or Hong Kong, and other stations, where they were exposed to epidemics, and where many officers were cut off from their regiments in a very short space of time, the same liberal arrangement did not exist. In such a case the Government gained nothing, and whatever gain there was went to another officer by the step of promotion he obtained. He did not, of course, believe that the right hon. Gentleman the present Secretary for War, or anyone occupying his position, would keep any officer in an unhealthy station for any such reason as that he would get a sum of money by his death; but many things might be done in perfect good faith, which were calculated, nevertheless, to create a discontent which it was desirable, as far as possible, to remove. It was not well, therefore, in his opinion, to run the risk of giving rise to any such feeling on account of the paltry sum of money which the Government might make by the death of an officer.

Sir ROBERT ANSTRUTHER said, he would urge the Secretary of State for War to accept the Amendment. He thought the right hon. Gentleman would be the first man to admit that the state of the present pension warrants was in the highest degree unsatisfactory. Many cases proved that. For example, the term within which it was supposed that a man would die after he was wounded required revision, and nothing could be more unsatisfactory than the way in which they pared down a man's allowances and insisted on his dying within six months. Nothing could be more unworthy of a great country like this. Again, nothing could be more unfair than compelling a man to prove that he was in a certain state of health before he could be permitted to sell; and he would refer to the case of a young officer who had sent in his papers for the sale of his commission in consequence of his bad health, but who had been advised by his medical attendants to withdraw them, and who a fortnight after he had withdrawn them died, whereby the whole of his money had been lost to his widow and family. It would be a very graceful concession on the part of Government to accept an Amendment which would remedy cases of hardship like that. If it was impossible to put such an Amendment in the Bill, the Secretary of State should give an undertaking that the pension warrants, especially 84 and 1069, would be considered, with the view of removing those difficulties which were considered by the general feeling of the House to be objectionable.

COLONEL NORTH said, he must remark that these cases of hardship were greatly increased by the decision come to the other evening, that no officer in bad health, and ordered to go to a foreign station with his regiment, could exchange into a regiment remaining in this country. He hoped the right hon. Gentleman would reverse that decision of the House, and consent to its being cancelled.

MR. CANDLISH said, he held that it was perfectly clear that there could be no justice in engaging to pay money to the widows and families of officers, as a condition of abolishing purchase, in cases to which the purchase system would not have applied if it had been allowed to continue to exist.

MR. LIDDELL said, the greatest slur and blot in our military regulations was that which deprived the widow and children of a deceased officer of the value of his commission. He should support the Amendment, and trusted the Government would consider well before they rejected it.

COLONEL SYKES said, he would also support the Amendment as a matter of real humanity and policy. He could not believe that the Government desired to make money out of the deaths of British officers.

SIR GEORGE JENKINSON, who had an Amendment on the Paper in nearly the same terms said, he would support the Amendment. He took the same view of the subject as his hon. Friend the Member for Oxfordshire (Colonel North), who had spoken on exchanges. The plea of Government, in opposing the Amendment, was that they did not wish to create vested rights which did not exist at the present moment. But that was not a just argument. If they were remedying the abuses and evils of the British Army, they had no right to remedy evils bearing against themselves, and to refuse to remedy evils acknowledged to exist against the interests of the persons with whom they were dealing. Why should the family of an officer not receive compensation because it happened that his death, which was consequent upon a wound, did not occur until more than six months after the wound was received? He should vote for the Amendment.

MR. CARDWELL said, that no one was more ready than he was to admit that it was a very hard rule; but what they had now to deal with were simply the provisions of that Bill. The question did not arise upon the Bill, but upon the pensions warrant. He had been constantly reproached with the large burdens which this Bill would impose upon the people, and it would be culpable for him to introduce into it anything as to compensation for a state of things which was not caused by the Bill. The Amendment sought to put upon the abolition of purchase something which had nothing to do with it, but rested entirely upon the pensions warrant, when the proper course would be to bring forward the pensions warrant and raise a discussion upon it.

SIR WILLIAM RUSSELL said, he thought that if the Government gave no promise to bring forward the pensions warrant, so as to remedy the injustice that existed, then hon. Members were justified in endeavouring to introduce a proposal like that now made into that Bill.

Question put.

The Committee *divided*:—Ayes 130; Noes 186: Majority 56.

MR. CARDWELL said, that as the Bill was originally drawn, it contained a limitation of the number of officers who were to be permitted to sell out in any year. That limitation was very much objected to, and before they went into Committee he gave Notice that when the proper time arrived he would withdraw it. That time had now come, and he begged to move an Amendment in the clause in accordance with his Notice.

CAPTAIN TALBOT said, he was glad that the right hon. Gentleman had taken that course; but the reasons that had been given were not sound. He had always viewed this limitation as useless and unnecessarily vexatious; first, because he did not believe that the officers would hurriedly give up their profession; and, secondly, because Her Majesty had power to decline to accept resignations inconvenient to the interests of the service and the country. The alleged reason which the Government said justified them in withdrawing the limitation, was that the Bill was not so unpopular as represented, and in proof of that some high prices were cited that had lately been given for some of the higher commissions. Of course, when a commodity became scarce the price rose. When the sale of commissions is to cease after a certain day, and their disposal hereafter uncertain, it was only natural that in some cases large prices should be given. In the case in point, one of the youngest majors in the service gave a high price for the command of his regiment, because he knew that under this Bill he would not obtain command of a regiment at once, and certainly not of the regiment in which he had served. It was no proof of confidence in the Bill—quite the reverse. It was not often he had the honour of agreeing with the right hon. Gentleman (Mr. Cardwell); but he would take this opportunity of thanking him for his remarks the other night, in reply to something very like a threat in the name of the officers. No one could believe, however damaging to their interests the measures passed by this House might be, that it would make one iota of difference in their conduct in the field; but he went further, and asserted that even in the monotonous times of peace no consideration of that kind would interfere with the conscientious discharge of their duties. With regard to the warrant requiring a medical certificate that the officer wishing to leave the service was not in a dangerous state of health, he appealed to the right hon. Gentleman to give way. It was always a hard measure; but in future, where the money invested by the officer was lost to him or to his family, and went to the credit of the nation instead of as a benefit to a brother officer, it would be intensified. The measure was fairly just and liberal to those officers about to leave the service, but unjust and illiberal to those who remained in it; and particularly in this case, where the officers had stuck to their profession as long as their strength permitted. He asked why those officers —the most meritorious—were alone of all in the Army not to receive the price of their commissions? Although he had felt strongly upon many points in the Bill, this was the first time he had troubled the Committee, and he appealed to the right hon. Gentleman to undertake that the warrant should be cancelled.

MR. STAPLETON said, he hoped that the liberty of retiring would be made dependent upon the interest of the service.

COLONEL STUART KNOX asked whether any limitation upon retirement was to be continued for the future. He would oppose the idea that officers of the British Army were to be made slaves of, as the hon. Member for Berwick would seem to infer.

CAPTAIN VIVIAN said, that at present no officer was allowed to sell or exchange except with the permission of the Horse Guards; and if the interests of the public service would not permit of officers leaving their regiments, leave to sell or exchange was refused then. No other restriction than that which now existed would be imposed by that Bill.

MAJOR GENERAL SIR PERCY HERBERT said, he was glad to have an admission at last from the Treasury bench that exchanges had never been allowed which were detrimental to the public service. He was glad that the clause was struck out, and was only astonished that the right hon. Gentleman, as a Member of a Liberal Government, and one opposed to compulsory service in the Army, should have wished to impose it upon the officers.

Amendment *agreed to.*

MR. RYLANDS said, that after the decision of last night, he should withdraw all the Amendments that stood in his name.

LORD EUSTACE CECIL moved to insert words to make the clause apply to officers who were, after the passing of the Bill, promoted to unattached rank. This, he said, would be a very small boon to grant to a meritorious class of officers, and the right hon. Gentleman the Secretary for War would, on consideration, see good reasons why he should concede it.

MR. CARDWELL said, that no notice had been given of this Amendment, which seemed to be unnecessary, as such cases came within the clause that gave the over-regulation money to officers "on promotion."

Amendment *negatived.*

COLONEL JERVIS moved to omit, in line 35, the words "according to the custom of his regiment," which he thought would tie the hands of the Commissioners, and would prevent their ascertaining the real value of the commission of the retiring officer.

MAJOR GENERAL SIR PERCY HERBERT said, he would suggest that, if the Government objected to the omission of the words altogether, the words "according to the custom of the service" might be substituted for them.

MR. CARDWELL said, that the words of the clause had been carefully considered by the eminent authorities who had drawn up the clause, and, therefore, he could not consent to any alteration being made in them.

After further discussion,

MR. CARDWELL said, he must explain that the Commissioners would be empowered, under the words of the clause, to ascertain the real value of the commission of the retiring officer, without any limitation as to how far back they were to go in point of time.

Amendment, by leave, *withdrawn.*

MAJOR GENERAL SIR PERCY HERBERT said, he proposed to insert an Amendment, the object of which was to entitle subaltern officers to be paid down the regulation price which they had paid. A Return presented by the right hon. Gentleman the Secretary of State for War showed that the regulation price of the Infantry, Cavalry, and Guards amounted to £7,600,000. His Amendment would take about £2,000,000 out of that amount; therefore, so far as the subalterns were concerned, the sum of £2,000,000 would absolutely wipe out purchase. He proposed his Amendment by way of a compromise, and hoped it would be adopted. It involved less cost that any other Amendment that had been proposed with reference to subalterns.

And it being now ten minutes to Seven of the clock,

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

And at Seven of the clock the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

BRITISH SETTLEMENTS ON THE WEST COAST OF AFRICA.—OBSERVATIONS.

MR. M'ARTHUR rose to call the attention of the House to the state of affairs on the West Coast of Africa, with especial reference to the administration of justice and the necessity of reforming the same; of establishing some form of local and municipal self-government and of revising the system of taxation; further, to urge the importance of relieving the minds of British subjects at the Gambia from the apprehension of their transference to a foreign Power. His object in calling the attention of the House to this subject was a desire only to promote the interests of those Settlements, and to secure to the inhabitants the advantages of British protection and British law—for a very general feeling of dissatisfaction prevailed throughout the whole of these Settlements. Since 1866 Petitions had been forwarded to the Colonial Office almost every year, complaining of certain grievances, and of the acts of certain officials; but those Petitions, he was sorry to say, had not had the desired effect, for the Petitions were, if not treated with contempt, at least taken no notice of, and the grievances still remained; and the consequence was a want of confidence in the administration of justice, and the prevalence of a feeling of sullen discontent which might break out at any moment in insubordination and outrage. He would first bring before the House the state of affairs in Sierra Leone. The Settlement of Sierra Leone was formed by the British Government for the avowed object of suppressing the slave trade and promoting the religious and moral improvement of the Natives. The slaves captured by men-of-war were taken there from time to time and settled upon lands set apart for their own use; the population, therefore, consisted chiefly of liberated Africans from different parts of the continent, and speaking different dialects. The Church of England and the Wesleyans had undertaken missions among those people; the results had been highly satisfactory; and by those means the character of the population had been improved, and trade was rapidly extending, as was shown by the exports and imports having increased from £264,938 in 1854 to £581,485 in 1867. It was to be regretted that with this state of things there should have been found certain drawbacks that had had the effect of retarding the onward progress of the Settlement and the social and moral elevation of the people. These drawbacks were to be found chiefly in the action of the Colonial Office and the changes that had been effected. In 1865 the Settlements were placed under one Governor General. Before that Sierra Leone had a single Supreme Court Judge, who tried all civil cases by a jury of twelve. There was, besides, a Queen's Advocate, who was Public Prosecutor; a local Court of Appeal, composed of the Governor and Council. This system worked admirably. A similar system prevailed at the Gambia and at Cape Coast. In 1866 this state of things was changed. In an evil hour there was appointed to the Governor Generalship of Sierra Leone Major Blackall, who had roused the hostility of the African race in the West Indies. Dominica petitioned the Colonial Office for his recall, and he was unfortunately transferred to Sierra Leone. Under his auspices, by means of an obedient and facile Legislative Council, composed of salaried officials, and sitting with closed doors, there was passed an ordinance which rendered every verdict delivered in civil actions subject to the revisal of four gentlemen appointed by the Executive, who were invested with the power to reduce verdicts to the nominal sum of one farthing. This was the first blow directed against trial by jury in civil actions. The result had been the withdrawal of it altogether. So that, with commerce and civilization advancing, this great constitutional privilege had been withdrawn from the African race in Sierra Leone. The next step in this retrograde policy was the appointment of Mr. Justice Huggins as an additional Supreme Court Judge; then followed the abolition of the local Court of Appeal, leave being given to parties aggrieved by any decision of the Supreme Court to appeal directly to the Queen in Council, but only in a matter involving £300 and upwards. Now, this privilege really amounted to nothing, as most, if not all the cases brought for trial in the Supreme Court were below £300; so that instead of having, as before, the local Court of Appeal, there was now really no redress to parties who might feel they had been hardly or unjustly dealt with. Moreover, as the Supreme Court of Sierra Leone was the Court of Appeal for the inhabitants of the Gambia, Cape Coast, and Lagos, the result was that these Settlements had no Court of Appeal at all. The feeling of the people now was that they had lost all faith in the Supreme Court at Sierra Leone, and they would almost suffer any wrong rather than carry their appeals there; and with reference to that feeling he would recommend to the notice of the House the case of Findley against White, as justifying the existence of that feeling. Another evil sorely felt was the delay in the administration of justice; judgment was not given sometimes for one, two, or three years. If only one-half that was alleged was true, Mr. Justice Huggins was unfit for the position he held. One complaint against him was the cruel punishments he had inflicted on some of the unfortunate Natives. One person had been condemned for larceny to six years' imprisonment and nine whippings—but after the second whipping he died; for the number of stripes not being mentioned in the sentence, it was left to the officials to administer as many as they thought proper. Such proceedings were calculated to bring the courts of justice into contempt. They produced dissatisfaction, and would provoke hostilities which would lead to a repetition of the tragedy of Jamaica, if they were not put an end to. The prisons in Sierra Leone were in a most disgraceful state; no demarcation was drawn between the various classes of criminals, all were huddled together, and the lock-ups were consequently sinks of impurity and immorality. He had now to direct the attention of the House to the taxation of the colony. Under the land and house tax, which pressed very heavily on the poorer classes, by the manner in which the taxation was enacted it resulted that taxation was levied to the extent of 10½ and 16⅔ per cent, without the people having any voice in the imposition of it; and if the party failed to pay the tax he had to work three days for every shilling on the public roads, and to find his own provisions besides. He had now to direct the attention of the House to the state of education. This was at a very low ebb so far as the authorities were concerned. Out of a Revenue of from £70,000 to £80,000, £36,000 was spent in official salaries and pensions, and only £400 on education. It had been suggested that there should be introduced into the colony a system of undenominational education, including a strict conscience clause; and that view was in accordance with the opinion of a large and influential body of Natives. It was also considered desirable that in each of the colonies there should be, in addition to common schools, one high class school giving a superior education to those who were to take a leading part in the affairs of the colony. All these should be paid for out of revenue and be free to all—it was not fair to ask the missionary societies in this country to bear the burden. He was glad to find that Sir Arthur Kennedy had introduced the principle of competitive examination, and hoped that principle would be carried out in its integrity. There was another question which had introduced great heart-burnings into the Settlement—he meant the grants made to the local or Native pastorate. Much dissatisfaction had been caused by the introduction of concurrent endowment; and it appeared strange that it should have been established there, while it was being discontinued in Jamaica. £500 had been given by the Legislative Council for the Native pastors of the Church Missionary Society, and £150 for the Roman Catholics; and the Wesleyans were informed that any representations they might make on the subject would receive favourable notice; but, on consideration, they objected to receive such assistance, on the ground that it was calculated to excite religious strife, and prove injurious to those habits of self-reliance which it ought to be the object of the Government to form and cherish. In that idea they were borne out by the respective opinions of the three unofficial Members of the Legislative Council. The Legislative Council was composed of the Governor, the Colonial Secretary, the Commander of the Forces, the Chief Justice, and the Queen's Advocate, and three unofficial Members nominated by the Governor. Practically, therefore, the Governor was himself the Council. The revenue, as already stated, was £70,000 a-year. Would it be believed that all this money was voted in one brief sitting of three hours, without discussion, and without any Estimates being first placed in the hands of the Members? It might be supposed that with such large revenues proper attention would be paid to the sanitary condition of these colonies; but the prisons and other places were in a disgraceful state. In Sierra Leone there had been recently some improvement in that respect; but in the case of the Cape Coast Colony, which had been under British rule for 40 years, and had a revenue of about £30,000, and £20,000 in the Government chest, the town and the adjacent roads were like a vast privy and dunghill, and the accumulation of filth had swept away many valuable lives. At Lagos there had been great improvement; but for the last three or four years there had been no Returns of the exports—a remark which also applied to Sierra Leone. He had now to call the attention of the House to the state of affairs at the Gambia; and hoped the Under Secretary for the Colonies would state what were the intentions of the Government with regard to that Settlement—whether they meant to carry out the policy indicated by the Postmaster General when he filled the post of Under Secretary for the Colonies, and which was anything but advantageous to the colony. In 1867 the imports and exports of that colony amounted to £143,150. The revenue was about £22,000, and £14,000 was spent in salaries and pensions. No attempt had been made latterly to develop the trade of that colony, or to take advantage of the magnificent River Gambia, which was navigable for 400 miles, for opening up trade with the interior. In the case of Bathurst, such was the indifference to the interests of the colonists, that an application having been made that one of the gunboats might go for three days up the river, in order to impress on the Natives that Bathurst was under British rule, permission was refused, unless the coals which would be required for the trip were paid for. Yet £4,125 was now being spent out of the local revenue in enlarging and embellishing the Governor's house. The present position of affairs with regard to the Gambia was most unsatisfactory. Sir Arthur Kennedy intimated a short time ago that it was still the intention of the Government to hand that colony over to France, although that was contrary to the wishes of the whole population. That state of things was paralyzing trade, and rendering everything insecure. The colonists had neither soldiers to protect them, nor arms for their own defence, and there was an agitation prevailing among some of the Native tribes which might break out in open rebellion. The inhabitants of the Gambia wanted no money from the British Government; they were quite willing to bear their own expenses, and they had sent a Petition to the Colonial Office against the handing over to the French Government of four Settlements containing a population of 20,000 British subjects without their being consulted. Last year the right hon. Gentleman the Postmaster General stated that there were only 40 Europeans in the place; but the same argument might be adduced to give up all our West African Settlements. During the last 10 years there had been great improvement in trade and in agriculture; the English language was the leading language that was spoken, and the inhabitants had, with one voice, protested against being deprived of British nationality. Although that subject was not an inviting one, he hoped it would be carefully considered. What he would urge upon the Government was that they should see that justice was fairly administered in every Settlement, that trial by jury should be established both for civil and criminal cases, and that municipal councils should be established, which would give the inhabitants a voice in the expenditure. Let the Supreme Court, as a Court of Appeal, be duly constituted by the addition of a third Judge, and let the Judges go on circuit to all the Settlements as they did in this country. Let the expense of this Court, as well as the steamer for the Governor General, be borne in fair proportion by all the Settlements. Let no grants be given for ecclesiastical purposes, but let the Natives be instructed in the duty of supporting their own pastors. Let grants be given freely for educating the people. Let the Government especially call the attention of the local authorities to the improvement of the sanitary condition of each colony, and, above all, let it endeavour to place men in the various official positions who will feel some sympathy for the African race, and who will set an example worthy of respect and imitation. They were proud of the constitutional freedom which they enjoyed in this happy land—

> "Spread it, then,
> And let it circulate through every vein
> Of this vast empire—that where Britain's power
> is felt
> Mankind may learn to feel her mercy too."

They had already expended a large amount of money in putting down the slave trade; they had succeeded in effecting this object on the entire West Coast of Africa. Let them now, by every means in their power, carry to the many tribes brought under their influence the blessings of Christianity and civilization. Those West African Settlements might appear to them small and insignificant, but who could tell the influence for good they were destined to exert over that great continent? They had now no other Power to look to for sympathy or support but us. Let us show that we are not regardless of them. Be it ours to give effect to those noble words uttered by Lord Palmerston—

> "As long as England remains pre-eminent on the ocean of human affairs, there are none, be they ever so unfortunate—none, be their condition ever so desperate and forlorn—who do not turn with a look of hope to the light that beams from here. They may be beyond the reach of our power—still our moral sympathy and our influence can support them under their reverses and hold out to them, in the midst of their difficulties, the hope of better days. But if by the assaults of her enemies, or the errors of her sons, England should fail or her star lose its lustre, with her would fall the hopes of the Africans, whether on their own continent or on the vast regions of America; and they would for a time, at least, be buried in despair. I know no nation that is now ready to supply our place."

He thanked the House for the kind attention it had given him. This might not be one of the most interesting of questions but still there were thousands and tens of thousands of their fellow-subjects in that far-off land who would read the debate with great interest, and to whom it would convey the hope that their grievances would be redressed, and that the House of Commons would endeavour to do justice to Africa.

MR. R. N. FOWLER pointed out out that as these were Crown Colonies, and, therefore, not self-governing, some questions might properly be brought under the notice of the House in connection with them which Parliament need not discuss with reference to Canada, or the Australian colonies. He proposed to confine his remarks to the Gold Coast and the Gambia. His hon. Friend the Member for Lambeth (Mr. M'Arthur) had alluded to the sanitary condition of the Gold Coast. A colonial paper described the principal town of the colony as one vast dunghill, and expressed the most fearful apprehensions as to the probable results of an outbreak of cholera, which, dreadful as it was in England, would be far worse in a tropical climate; and, if the authorities there were not sufficiently alive to the exigencies of the case, no doubt the colonial authorities here would urge them to do their duty. In Crown colonies which had no municipal institutions, and which were ruled by officials appointed in England, the Government was practically despotic, the only appeal of the people subject to it being to the House of Commons, and that was a sufficient justification for the course taken to-night by his hon. Friend who, he thought, was entitled to the thanks of the House for bringing the subject under their notice. Under the circumstances, it was the Imperial authorities who were open to censure for the state of things which had been described. In support of the allegation that arbitrary authority had been greatly abused on the Gold Coast, he would quote from *The West African Herald* of February last, a statement respecting an absconding convict who was recaptured, flogged, put to shot-drill, fainted, and died a shocking death in hospital. The inquest disclosed a severity of prison discipline amounting to inhuman cruelty, and resulted in the suspension of two of the prison officers. Another case he would mention was that of Mr. Joseph Lovell, for 30 years a merchant on the Gold Coast, who for two years was involved in a dispute with the Deputy Collector of Customs at Cape Coast Castle. In one matter there was a bill of costs against him of £4 10*s*; in another there was one in his favour of £4 9*s*. 6*d*.; he naturally thought he might put one Bill against the other; but, instead of the sixpence, he was compelled to pay the amount of the bill against him, after having been apprehended under warrant and lodged in a felon's prison, being immured in a cell where the thermometer stood at 87°. There was another case, in which a woman was condemned to two days' imprisonment for contempt of Court, and where the Judge had, unknown to the gaoler, gone to the prison, and ordered the matron to shave the woman's hair off. Last year his hon. and gallant Friend near him the Member for Stamford (Sir John Hay) brought under the notice of the House the proposed cession of Gambia to France, which was not effected, not because of any change of opinion on the part of the Government, but because on the very day attention was called to the matter, France declared war against Germany, and by the Law of Nations the negotiations came to an end. The people of the Gambia were Wesleyans, and as Protestants naturally preferred connection with this country rather than with France; and those who held it was wrong to transfer Alsace and Lorraine to Germany could not assert that it was right to cede the Gambia to France against the will of the people. He would call attention to the fact that Mr. Jackson, the chief magistrate, held a variety of appointments in the Gambia, such as coroner and police magistrate, which was a plan open to serious objection, and arrangements should be made to obviate such a scandal. He was also Chief Justice, and, as such, he had tried for murder a man whom he had twice preliminarily committed for trial. He thought it was monstrous that one man should hold three such offices, and held that it was the duty of the Colonial Office to direct their attention to such cases with a view to put an end to the existence of such evils. He hoped the interest of these colonies, which were intimately connected with the welfare of the African race, would always command the attention of the House.

MR. KNATCHBULL - HUGESSEN said, he was sure the hon. Member for Lambeth (Mr. M'Arthur) required no apology for bringing forward that subject and making his interesting statement to the House. Those West African Settlements had from time to time attracted considerable attention in this country, and not the less so, because England held them not for her own advantage or aggrandizement, but from motives of a character essentially high and pure. Founded, as was the first of these Settlements, for slave-trading purposes, that had long since been atoned for by years of labour and heaps of treasure in money, and in lives more precious than money, expended with a view to the extirpation of the slave trade, and the introduction of civilization and Christianity among the Native tribes. The political advantage to England derivable from these colonies was very small, and they had involved her in several very expensive wars. Her occupation of them was rather in discharge of a moral obligation than any self-seeking policy for Imperial interests. Their climate was dangerous to European life during a great part of the year, and the management of their internal affairs also occasioned no small expense to this country; but, while he said that, he must not be considered as advocating the relinquishment of these colonies. Great Britain held them more for their own sake than for hers. She had no other object than to govern them in a manner to advance their welfare—to make her rule as acceptable to the people as possible. If any error could be pointed out in her present administration, or any blot in her system, the Government would be most anxious to repair the one and wipe out the other with the slightest possible delay. Referring to the apprehensions which were entertained about the cession of Gambia to France, a few words would dispose of that subject. The arguments in favour of the cession of Gambia to France, or rather its exchange for certain territories which would be more convenient to us, was very ably stated by his predecessor; but there never was any idea of ceding Gambia to France or any other country without previous discussion and obtaining the consent and concurrence of the House. The trade of the Colony, comparatively small as it was, was chiefly in French hands; the British population was very small—the great French Colony of Senegal was less than 200, whilst Sierra Leone was 500 miles distant; and if the material advantage of England was the only point to consider, it was probable that the arguments in favour of the transfer might be found to preponderate. But he guarded himself against being supposed to state his own opinion one way or the other, the possible value of Gambia as a coaling station in time of war—the determined opposition to the transfer evinced by a large portion of the population—and the unanimous Report of the Committee of 1865 against our total withdrawal from any of our West African Settlements or engagements appeared to him to be points which must have been deeply considered before any transfer could have been effected. However, he need not argue this question, because the outbreak of the Franco-Prussian War had put an end to the transfer, and no other country was likely to desire it. He did not say anything that should bind any future Government under different circumstances; but he might freely say that it was not the intention of the Government to propose any renewal of the negotiations for the transfer of Gambia to France. At the same time the House must not forget that the Committee of 1865 adopted as one of its resolutions that the Settlement of Gambia should be reduced by the abandonment of Macarthy's Island, with respect to which the Government must hold itself entirely free. With regard to the defensive condition of Gambia, there was no doubt that it was not so good as might be desired, but within the last three weeks rockets and other ammunition had been sent there. Some cases had been mentioned relating to the administration of justice; and he could no doubt have given satisfactory explanations respecting them if he had been previously informed that the attention of the House would be called to them. The case of Mr. Lovell, on the Gold Coast, had been alluded to, and the hon. Gentleman the Member for Penryn (Mr. R. N. Fowler) intimated to him last night that attention would be called to it, otherwise it never would have entered into his mind that it would have been brought forward as a case of oppression. Mr. Lovell declined to pay the money, which was evidently due from him, and defied the sheriff's officer. He claimed as a set-off, some costs against the Government, the payment of which the administrator would not sanction for sufficient reasons. A warrant was issued, and then Mr. Lovell tendered the amount, but, refusing to pay 5*s.* for the warrant, was taken to prison. The thermometer might have been at 87°, but the prison was clean, and after a few hours' detention somebody paid the 5*s.*, and Mr. Lovell was released. To put forward such a matter as a case of oppression was an absurdity on the part of those who instructed the hon. Gentleman. It was stated by the hon. Member who made the present Motion that memorials sent to the Colonial Office had not received their due effect; but he could state that every disposition was shown at the Colonial Office to attend to any complaints on the part of the memorialists. Nevertheless, some memorials had not a due effect there, because on investigation their allegations were not found to be supported by evidence. Two of the grounds on which the hon. Member based his accusation against the present system were taxation and concurrent endowment, both of which points were touched on by the Wesleyan Missionary Society, in the memorial they sent from Sierra Leone. No one could doubt the value of the exertions of this estimable body of Christians, who had effected much for these settlements, but even their statements turned out not to be wholly accurate. They began by stating that they had great claims to consideration, because they paid the greatest part of the colonial revenue. They called attention to the new system of taxation recently adopted, protested against concurrent endowment and the neglect of their schools in the colonial grant, and complained of the establishment of a Church college at Cape Coast, with a grant of £1,000. With regard to the statement that they paid the largest portion of taxation, that on inquiry turned out to be a mistake; and, though the objection to concurrent endowment was fair enough on the part of those who objected to all endowments, yet in some cases religious equality was best secured by concurrent endowment, and in others by no endowment at all, according to the feelings of the population; and the grant to the native pastorate, which was called an endowment, was a grant to the only purely African institution upon the coast, whilst so great had been the good effected by these native pastors that the governor had stated that the lessening of their influence would entail a larger expenditure for magistrates and police. The refusal of the Wesleyans to accept a grant was no reason why the efforts of other religious bodies should be neutralized by want of support from the State; and with respect to schools, all other bodies except the Wesleyans agreed to the regulations under which grants for schools should be given. The Church college, which the memorialists alluded to, was never intended to be founded, and had never been heard of except in their memorial. The particular tax to which the memorialists objected—namely, the house tax—was not a new tax, as it was introduced in 1854. It did not produce a very large revenue; but it was satisfactory in its collection, and it would be beneficial to extend it as far as possible, because it tended to give the people an interest in self-government, and developed industrial habits. With regard to the administration of justice, there was a magistrate in every one of the four Settlements, and the Court of Appeal in Sierra Leone was constituted by the two Judges to whom the hon. Gentleman had alluded. His hon. Friend had alluded to what he called the abolition of trial by jury in the colony. Now, it should be remembered that they were dealing with a Settlement in which there was a large coloured and a small white population, and they could not apply the same principles in respect of the mode of administering justice in a case in which most of the population were coloured, as they could in a case in which most of the population were white. It had been found that in criminal cases no difficulty had been felt. The juries consisted of coloured persons, and the decision of two-thirds of the jury was taken as the verdict. But while there was no difficulty in a criminal case, in civil cases justice had frequently miscarried. It had been shown, after full inquiry, that the juries frequently came into Court having made up their minds before the cases were called on, and it was therefore that in civil cases the present system was adopted. The case of Mr. Justice Huggins had been alluded to. It was not true, as had been alleged in the complaints made against him, that he had not been called to the Bar. As to his having given unlawfully severe punishments, the only foundation for this was, that the Judge had supposed that an Act of 7 & 8 *Geo.* III. had not been repealed by one of the present reign, which imposed milder punishments for certain offences. The Colonial Office had, however, since sent out an ordinance which would remove any misapprehension upon this subject, and the sentences which had been imposed under a misapprehension had been remitted. His hon. Friend had charged the prison officials with national antipathy against the Native race. He regretted his hon. Friend had done so, as their business ought to be, as far as possible, to allay the prejudices of race, and he was sorry that his hon. Friend should have countenanced what he could not but regard as a mistaken idea. It was quite a mistake to suppose that the officials had any antipathy to the Native race. On the contrary, it was their earnest desire to reconcile the differences of race, and, as far as possible, promote the welfare of all the population, without reference to colour. The climate and the low salaries paid rendered it difficult to procure efficient public servants, and certainly it was highly desirable that those who were out there should not be hastily condemned. Efforts were being made to improve the system of education. It was difficult to establish municipal and local government in such places, and an experiment of municipal government which had been tried on the Gold Coast had broken down in 1860, and had not been revived. As to the want of sanitary regulations, he had not had sufficient notice that that would be brought forward; but he would make inquiries into the matter, and he had already instituted an inquiry in reference to the alleged want of prison accommodation. The case of a woman who was alleged to have had her hair cut off when in prison had been inquired into in anticipation, for having noticed the circumstance in one of the colonial papers, he caused a despatch to be written for an investigation into the statement, but sufficient time had not yet elapsed to receive an answer. Many of the complaints that were made were found upon examination to be by no means of the importance that was attributed to them. There had of late years been a decided improvement in the state of these colonies. It had been said that since all of them were placed under one government, in accordance with the Report of the Committee of 1865, there had been a great increase of expenditure, and that the Settlements were not so prosperous as before; but he found that whereas in 1864 the revenue of the four Settlements was £91,231, against an expenditure of £103,235 ; the revenue estimated last year was £152,207, and the expenditure £149,330. In 1864 the value of the imports was £524,000, and of the exports £570,600; whereas, in 1868, the imports had increased to £988,000, and the exports to £1,161,000. These figures gave some hope that the Settlements were improving, and that our philanthropy, self-sacrifice, and good intentions could not have been entirely thrown away upon them. The time might come when they would be great and prosperous and advantageous to this country; but, at all events, they had accomplished the object for which they were established. The slave trade was crushed out, human sacrifice had diminished, and there could be no doubt that civilization was progressing in that part of the world. He had now finished the task imposed upon him by the speech of his hon. Friend the Member for Lambeth. He was grateful to his hon. Friend for having given him an opportunity of addressing the House upon West African affairs. If those affairs were among the most interesting, they were certainly not among the most easy matters with the conduct of which the Colonial Office was charged. It was not easy to manage small Settlements, surrounded by barbarous or semi-barbarous tribes. The laws, the habits, the usages of European States could not be applied with facility to communities which had not yet attained to European civilization. Misunderstandings would sometimes arise; misrepresentations would often be made; and after the facts he had laid before the House, he must ask his hon. Friend to concede that, if Governors of colonies were sometimes wrong, and officials made mistakes, newspaper editors were not always correct, and even missionaries were not infallible. But the policy of this country was clear. She had gained immensely herself from the blessings of Christianity and civilization, and she wished to extend those blessings to every country which owned her sovereignty. It was the wish of the Government that equal justice should be administered to Her Majesty's subjects in every part of the world; it was their desire that taxation should be fairly and impartially levied; it was their hope that the native population of West Africa might be gradually trained and taught the lessons of self-government, which had been acquired by more civilized nations with real advantage to themselves. But to place these Settlements in a condition such as all must desire to see them must be a work of time. Time and patience were required for this as for every other considerable undertaking. Meanwhile England, recognizing her moral obligation to maintain those Settlements, had endeavoured, and would endeavour, to discharge her duty towards them; and although from time to time shortcomings might be pointed out, there would be, on the part of the Government, no indisposition to apply remedies to such evils as upon investigation might be found to exist; whilst, at the same time, they would cherish a confident hope that such evils would become less and less; that the motives which had actuated, and still did actuate, the conduct of English statesmen towards those Settlements, would become more and more appreciated in the Settlements themselves; and that the result of that conduct would be found in the gradual advance of the Native tribes in civilization and Christianity, and in the permanent establishment of peace, happiness, and prosperity throughout Her Majesty's West African possessions.

SIR CHARLES ADDERLEY said, that after the full and satisfactory explanation of the Under Secretary for the Colonies it would be unnecessary for him to say but a few words on the subject. It was of considerable importance that nothing should go forth from this House reflecting on Colonial Government without its being accompanied with full means of a valid answer. The hon. Member for Lambeth (Mr. M'Arthur), who had brought forward the Motion, had made an accusation against a distant Crown Government, against which there were no materials for ascertaining the possible reply. Crown colonies had a special right to appeal to this House, having no representative Assembly of their own; but while he admitted that proposition, he submitted that it was most mischievous to bring to this tribunal unauthenticated statements from parties on one side of a dispute.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present—

SIR CHARLES ADDERLEY resumed—With regard to the allegation that the country wanted to get rid of all such questions, that allegation had been sufficiently answered by the hon. Gentleman the Under Secretary of State for the Colonies, who had just spoken. With respect to the supposed mal-administration of justice, he must say that the cases which had been brought forward had been disposed of as far as the Minister was cognizant of them; from which the rest might be judged of. They were mere *ex parte* statements, brought forward in such a manner that no one could answer them. It was not right to make *ex parte* statements relative to the administration of justice, when they were very probably the views of a defeated party of his own defeat in the presence of witnesses. The only distinct and personal allegation made against the administration of justice in West Africa was that trial by jury had been abolished; but that was only in civil cases of a small amount, and the change had been most beneficial to the poorer classes of the colony, and litigation, got up by a swarm of jobbing attorneys, had considerably diminished. A Supreme Court, with well-paid Judges, was much more satisfactory in the cause of justice than inferior Courts with a larger number of Judges. With regard to the subject of taxation, when he was in office the taxation of the colony only averaged 10*s.* per head of population, and that, compared with our home taxation at the rate of between £4 and £5 per head, was not, to our minds, open to serious complaint. It was said, however, the taxes were badly appropriated, and that only £400 a-year was granted for education; but the fact was that the grant represented a mere subsidy, for almost all the required money for educational purposes was provided voluntarily. The question of the exchange of the Gambia for other French possessions on the West Coast he did not consider as of immediate urgency, but thought that a time would probably come when it might be advisable to carry that exchange into effect. The English government of West Africa had been a training to self-government, and was only retained by home officials, now that our slave trade suppression was complete, till the residents could take their own affairs in hand; and he agreed with the views of the Select Committee of 1865, that government on the spot should be developed as far as possible, and made self-supporting, so that the government of England might eventually be withdrawn.

Sir JOHN HAY said, he was sorry to hear the right hon. Gentleman (Sir Charles Adderley) suggest that a time might come when it would be advisable to hand over the Gambia to a foreign Power; and still more sorry to hear that Sir Arthur Kennedy had made a similar suggestion to the Legislative Council of the colony. Seeing how well the colony had been governed by England he hoped it would continue its present relations with England.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Twelve o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 12th June, 1871.

MINUTES.]—*Took the Oath*—His Royal Highness the Duke of Edinburgh.

Public Bills—*First Reading*—Lunacy Regulation Amendment* (171); Drainage and Improvement of Lands (Ireland) Supplemental* (172).

Second Reading—Pharmacy* (153); Metropolitan Commons Supplemental* (103); Local Government Supplemental (No. 2)* (149); East India Stocks (Dividends)* (116); India (Local Legislatures)* (150).

Third Reading — Trust Funds (Investments)* (165), and *passed.*

THE TREATY OF WASHINGTON.

MOTION FOR AN ADDRESS.

Earl RUSSELL: My Lords, on rising to move the Address to Her Majesty, which I have felt it my bounden duty to propose, I think the most convenient course, both to your Lordships and to myself, will be to state, in the first place the points in the *Alabama* Treaty to which I offer no objection, and, in the next place, to state the points to which I feel it my duty to take the most decided objection, and to which I intend to confine whatever remarks I may make upon this occasion. With regard to the former, I take no objection whatever to the choice of the Commissioners sent out to the United States, or to the appointment of arbiters, with the view of coming to an amicable decision on the important question at issue; on the contrary, I think the choice of the Commissioners sent from this country was a very judicious one, and I have no objection whatever to the Sovereigns and the President of the Swiss Confederation who have been chosen as arbiters; on these points, therefore, I will not trouble your Lordships with any observations. On the other hand, I entertain the strongest objection to the measure proposed in the course of the negotiations, and afterwards confirmed by the Treaty — namely, that certain rules, partly founded on the authority of the Law of Nations, and partly deviating very much from it, should be adopted, and should not only be hereafter recommended as improvements in the Law of Nations—which, of course, it was perfectly competent for the Commissioners to do—but should have a retrospective effect, this country being made liable for any deviations committed in 1861 from rules made in 1871, and which would accordingly render us liable to any claims put forward by the United States on account of the depredations committed by the *Alabama* or other similar vessels, although no law existing at the time would have enabled us to stop the departure of those vessels from our ports. I must say I conceive this to be a gross departure from all the rules upon which negotiations have hitherto been conducted, and from any rule that you apply to domestic affairs. On the evening when I gave Notice of bringing forward this Motion, a measure was before your Lordships with regard to acts of intimidation against workmen, to creating new offences and penalties. Now what would be said if a Bill of Indictment were sent up to the grand jury at Liverpool, charging a workman with intimidation committed in 1869, under an Act passed in 1871? The grand jury would at once ignore such a bill, and would hold it contrary to every principle of justice, that a man who had committed some act not at the time penal or criminal should be punished for it under a statute passed some years subsequently. This being one of my main objections to the Treaty, I find the greatest fault with the manner in which this agreement has been stated in it. It is stated in the Treaty that Her Majesty's Government refused to recognize these rules as in uniformity to the Law of Nations: they saw very clearly that they were not part of that law. What a humiliation it is, then, that we should now submit to pay compensation for acts which, by their own showing, were not against the Law of Nations at the time of their commission! A further error, I think, has been committed in stating that this is done with a view of "strengthening the friendly relations between the two countries." I beg your Lordships to consider to what an extent an admission of this kind will carry us in any future negotiations. Some years ago considerable irritation prevailed on the question of these *Alabama* claims, and nearly a year ago great irritation prevailed in the German Army, because they said that we, contrary to friendship, and, as it was called, to benevolent neutrality, allowed cannon and arms to be exported to the French Army, which arms were used for the purpose of fighting the battles of France against the arms of Germany. With regard to this matter, the noble and learned Lord on the Woolsack was reported to have made a speech, I believe at the Guildhall, in which he said he was ready to defend the conduct of the British Government according to all the rules of International Law. I felt proud at the time that so high an authority should vindicate our conduct; but the whole of that authority is now swept away, for suppose the Prussian Government should now say to us—"Only last year your ports were made the base for strengthening the Army of our enemies; the forces of the French Army, which were nearly exhausted; the French Government, which would have been ready to conclude peace six months sooner than it did, were enabled to prolong the war by means of cannon and rifles furnished to them from British ports." Six months ago the noble and learned Lord would have said in answer to such an argument—"It is according to the Law of Nations that merchants should be permitted to buy arms at Birmingham, and transport them from Southampton to Dieppe, Cherbourg, or any other French port." He could not now, however, insist on that argument; and, whether or not, it was according to the Law of Nations at the time, the Prussian Government might ask us to act in the same way that we are going to do towards the United States, and to admit our liability for any deviation from the principles now put forward, whether those principles were or were not in force at the time the succours were furnished to France. I conceive it would be difficult for us to rebut that claim, and that we might fairly be asked to admit our liability for the whole value of the damages caused by the arms which were exported. As to admitting these rules for the purpose of strengthening the bonds of alliance and friendship with the United States, have we no bonds of friendship with Prussia? Why, if there is any Power in the world with which I conceive it is the interest of this country to be on terms of friendly alliance, it is Germany. My noble Friend (Earl Granville) would have some difficulty in telling Count Bernstorff—"It is quite true, that in order to strengthen the bonds of our friendship with the United States, we agreed to alter the terms of International Law, and agreed to give retrospective validity to the new terms; but with Germany we have no wish to strengthen the bonds of friendship; your friendship is indifferent to us; and, therefore, that which was applicable to the United States is not applicable to you." It might be absolutely essential to make some such answer to the claim; but it would certainly produce great estrangement between this country and Germany were we to declare that we had a special friendship for the United States; but that with regard to Germany, a Power connected with us by various bonds, we were determined to adhere strictly to the Law of Nations, and to make no sacrifice or concession whatever. Another objection I feel to the reason assigned in the Treaty is, that, with regard to the *Alabama* and other vessels, it looks like paying a sort of tribute in order to buy peace. Now, there is nothing more objectionable than for a nation to resort to such a policy as that. It was the course taken by the Greek Emperor in order to conciliate the Turkish Sultan, and Gibbon has pointed out, in a way that cannot be disputed, the error of that policy, and how the hostility of Turkey was only inflamed by that annual tribute. There are other points which are open to objection, and into which I may have to go into detail presently; but it is unnecessary that I should notice them in this summary. I think the Government have been wrong not only in agreeing to set aside the Law of Nations, but in making an erroneous statement of the reasons why they are ready to agree to making the rules retrospective. I also think that it was very unwise to throw aside all our obligations towards Canada and the maritime Provinces of British North America, and to declare that, although citizens of the United States are to be compensated for depredations committed by persons calling themselves citizens of the so-called Confederate States making irruptions from Canadian territory, your own Provinces and subjects of the Canadian Dominion shall in no way be compensated, merely because the United States' Government refuse to pay any compensation. On the Fisheries question, that being a point subject to the ratification of the Canadian Parliament, I need not dwell; but all this shows in what a one-sided spirit this Treaty has been drawn, how everything has been concession on our side, and assertion, I may say without argument, on the part of the United States. Our Commissioners did not trouble the American Commissioners to go into any argument; they merely, as I read the Protocols, accepted their assertion that they could not entertain the question of compensating the Canadians for the Fenian outrages, on which an order was sent from London that that point should not be insisted upon. So, too, with regard to the Fisheries. Many years ago, by the active exertions of a noble Friend of mine (Earl Grey), whom I am sorry not to see present, a Treaty — justly called the Reciprocity Treaty—was concluded, by which the Fisheries of New Brunswick and Nova Scotia were thrown open to the American fishermen, while certain products of Nova Scotia and New Brunswick were admitted at low duties or without duties into the United States. This proved very beneficial to both parties, for the American fishermen enjoyed the benefit of access to the Fisheries, and, although at that time, the United States gave a bounty to their own fishermen, the fishermen of New Brunswick suffered no injury, but competed with the Americans, while the produce of Nova Scotia was admitted into the American market. My noble Friend (Earl Granville) will find in the Foreign Office many representations by Chambers of Commerce, and other parties interested in the prosperity of the United States, conclusively showing that great benefit was derived by the United States from the introduction of coal and other articles from New Brunswick and Nova Scotia. Now, one would have thought that when the Government were considering the renewal of the Reciprocity Treaty, they would have inserted some clause on the subject in this Treaty; but, because the United States' Commissioners urged the animosity which prevailed during the late war, all those advantages were thrown away, and nothing was done to secure the advantages of the Reciprocity Treaty. More than that, on almost every point there was yielding on the part of Great Britain, while there was no yielding whatever by the United States' with respect to the fair and just claims which might be preferred by England. To go somewhat more into detail with the case, I will first quote the opinion of an American authority, laid down in 1832, and afterwards quoted by Sir Roundell Palmer. The United States' Judge thus defines the power of the collectors, who, I believe, occupy much the same position as the Board of Customs in this country—

> "The collectors are not authorized to detain vessels, although manifestly built for warlike purposes, and about to depart from the United States, unless circumstances shall render it probable that such vessels are intended to be employed by the owners to commit hostilities against some foreign Power at peace with the United States."

In quoting this case, Sir Roundell Palmer remarked—

> "The words 'render it probable,' if the principles of the law of this country are to be regarded, must mean capable of reasonable proof."

Now, the words "unless circumstances render it probable" are carefully omitted in the Treaty which Her Majesty is called upon to ratify. I will read the first of the rules by which we are to be retrospectively bound. The first is—

> "To use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to

believe is intended to cruise or to carry on war against a Power with which it is at peace."

That is very reasonable, but then the rule goes on—

> "And also to use like diligence to prevent the departure, from its jurisdiction, of any vessel intended to cruise or to carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use.',

I have quoted the American authority of 1832; but Sir Frederick Pollock, Chief Baron of the Court of Exchequer, said substantially the same thing in directing the grand jury in the *Alexandra* case. He said that if circumstances rendered it probable that the vessel was intended to cruise against any Power with which this country was at peace, they would find the owners guilty. That security, unfortunately, is left out of the Treaty altogether, for the rule laid down in it says nothing of proof of the intention, or of circumstances indicating the intention; but it binds us to prevent the departure of any vessel "intended" to cruise or carry on war. The American Commissioners, having found out there was nothing, according to all International Law, or our own law, to prevent a vessel being sent out armed, to be afterwards used in favour of a belligerent, seem to have been determined to invent some phrase which should make our liability absolute. As an instance of the application of the rule, I may remind your Lordships of the case of the *Sea King*. The *Sea King* was a merchant vessel, which, at the beginning of October, having been fitted out without arms, equipment, or fitting as a ship of war, left the Thames. She had a regular clearance, and left without any representation or complaint having been made against her; but, instead of proceeding to Bombay, the port for which she had a clearance, she went either to the Azores or to Madeira, and got there an armament which had been sent in another way, so that she was afterwards employed in cruising against the merchant navy of the United States. Now, although it is certain that she was intended to cruise against the commerce of the United States, not a particle of evidence of that intention was brought either to me or to Mr. Adams before she left the Thames, and it was not till five weeks afterwards that communications were received, both by Mr. Adams and by me, showing that such was the intention. Yet although the secret was so well kept that no suspicion arose till five weeks after she left the Thames, you conclude a Treaty 10 years afterwards, by which you make the British owners and this country liable, on the ground that there was an intention, which can now be proved, to use the vessel for a warlike purpose. What could this country do? On being informed by Mr. Adams, and by our own Consul, that the vessel was being armed with the view of making war against American commerce, was I to send a man-of-war to make war on Portugal in order to seize this vessel? There is a remarkable passage in a statement made in 1826 by the then Attorney General of Louisiana with regard to an analogous case—

> "Attempts to violate the laws by fitting out and arming, and by augmenting the force of vessels have no doubt been frequent; but certainly in no instance successful, except where conducted under circumstances of concealment that eluded discovery."

Now, that is fairness and justice, and, if you mean to be just, adopt either British Rules or American Rules—you will find plenty of international and municipal law sufficient for the purpose; but if 10 years afterwards you accept responsibility for the clandestine departure of a vessel, afterwards armed within the jurisdiction of another Power, there is no saying to what extent your liabilities may go. I do not know exactly what occurred in this particular case; but the British owner might have sold the *Sea King* to another merchant in entire ignorance of the purpose for which it was intended to be used, yet this Treaty would make us liable for all the damage committed by it. If these cases were to be submitted to arbitration, the arbiters should have considered them by the rules of International Law as generally recognized, or by the Foreign Enlistment Act; and unless they could have been brought within one or the other there should have been no damages allowed. That would have been a fair course, and would not have involved us in dishonourable concessions. I am about to quote some expressions of Mr. Adams's, and I wish to take this opportunity of stating that I believe his reports to his Government, and his conversations with me, although we differed *toto cælo* on certain points, showed an honesty and fairness which materially conduced to the maintenance of good relations between the two countries. Writing on the 4th of October, 1862, he said I had told him—

> "That much as Her Majesty's Government desired to prevent such occurrences, they were unable to go beyond the law, municipal and international."

Mr. Adams did not on this draw up a new rule of International Law, and required us to adopt it and abide by it; but he undertook to prove that by our own municipal law and our Foreign Enlistment Act we were bound to make compensation for any depredations committed under such circumstances. These were my words in December, 1862—

> "With regard to the claim for compensation now put forward by the United States' Government, it is, I regret to say, notorious that the Queen's Proclamation of the 13th of May, 1861, enjoining neutrality in the unfortunate civil contest in North America, has in several instances been practically set at naught by parties in this country."

That, at all events, was a fair principle on which to proceed, and the cause came to a point which may fairly be considered by the arbiters. Mr. Laird undertook to build a vessel for the Confederate Government. Mr. Adams complained that it was building, and that it was intended to be fitted out and equipped for the Confederates. I replied, as I believe any Secretary of State would have done—"We must refer this to the Board of Customs, and see whether they can obtain evidence by which the owners can be convicted." It was referred to the legal advisers of the Board, and on the 1st of July I was able to inform Mr. Adams that the Board held there was not sufficient evidence that the ship was fitted out with the view of making war upon the commerce of a Power on friendly terms with Her Majesty, and accordingly I deemed myself unable on that statement to direct a prosecution. On the 23rd of July Mr. Adams informed me that additional evidence had been procured that the ship was equipped so as to be fitted for warlike purposes, for he had obtained the evidence of a man named Passmore, who said it had been proposed to him by the captain of this vessel "290," that he should go to sea with him and make war on the commerce of the United States. That evidence was at once submitted to the Law Officers of the Crown, who, on the 29th, informed me that there was a case for detaining the vessel and instituting a prosecution. On that very morning, however, she escaped, and it remains a question which may fairly be submitted to any arbitrators, whether I was justified in not on the 24th or 25th seizing the ship, afterwards well known as the *Alabama*. Mr. Adams stated in one of his letters that sufficient promptitude had not been used; but Sir Roundell Palmer, speaking on the 27th of March, 1863, said—

> "The United States' Government have no right to complain if the Act in question (the Foreign Enlistment Act) is enforced in the way in which English laws are usually enforced against English subjects—on evidence, and not on suspicion; on facts, and not on presumption; on satisfactory testimony, and not on the mere accusations of a foreign Minister or his agents."—[3 *Hansard*, clxx. 47.]

That remark, moreover, had been quoted by a noble and learned Lord opposite (Lord Cairns) when the *Alexandra* case was argued, and Sir Roundell Palmer at once adopted it, and said he still held the same opinion. It is, therefore, a very fair question for the arbitrators, whether those five days between the 24th and the 29th were lost by want of due diligence; whether the Law Officers were entitled to take the time for considering the matter; and whether an order to detain the vessel should have been at once sent down. I felt at the time that it was very difficult to obtain evidence sufficient to satisfy an English Court and jury, and we know that, though in the case of the *Alexandra* the Law Officers of the Crown contended, rightly, as I believe, that it was sufficient to prove that the vessel was fitted out for a warlike purpose, without any proof of its being armed, there was great doubt whether this argument could be accepted. Lord Chief Baron Pollock, a Judge of great ability, doubted, I believe, whether it was sufficient to prove that the vessel was equipped and not armed, and he doubted whether there was proof of the owner's intention. Somewhere in *The Spectator*, there is mention of meeting a young lady fully equipped for riding; now that does not mean that she had a sword and pistol, but that she had a riding habit, and the Lord Chief Baron naturally enough said that the word "equipped" was not sufficient. He put it to the jury whether the *Alexandra* was intended to be used for warlike purposes against the United

States, and they decided that she was not. I cannot wonder, under these circumstances, that the Attorney General (Sir William Atherton) and the Solicitor General (Sir Roundell Palmer) took some days to consider whether there was evidence sufficient to convict, and did not report till the 29th of July. That, however, as I have said, is a very fair point to submit to the arbitrators. On the statement I just quoted being made by Sir Roundell Palmer, Lord Palmerston said—

> "My hon. and learned Friend the Solicitor General, in that admirable speech which we all listened to with the greatest delight, has demonstrated indisputably that the Americans have no cause of complaint against us."—[*Ibid*, 91.]

At that time Mr. Gladstone was Chancellor of the Exchequer, and Sir Charles Wood was Secretary of State for India; Lord Palmerston had, probably, therefore, had the benefit of their opinion, when he declared that the American Government had no cause of complaint against us, and that declaration was, of course, very satisfying to me. I always looked to Lord Palmerston as the greatest authority on foreign affairs, and when I accepted the seals of the Foreign Office I had great comfort in reflecting that I could always refer to him, who for 14 years had maintained the honour of this country, and had never brought us into the least danger of war. According to the uniform practice of the Foreign Office, the despatches which I wrote were submitted to him as Prime Minister; frequently he would write the whole despatch over again, and I was always ready to accept his draft. In the case of Savoy and Nice, and in many of the Polish despatches, the whole despatch was written by Lord Palmerston, and I still consider him as one of the greatest authorities in foreign affairs that ever held the seals of the Foreign Office. Well, what happened with regard to Mr. Adams? He always, as I have said, acted with great fairness, and when about to depart from this country he wrote to me—

> "If it has been my misfortune to observe, in the process of so wonderful a revolution, a degree of coldness and apathy pervading in many quarters, from which my countrymen had every right to expect warm and earnest sympathy; if throughout this great trial, the severity of which few not well versed in the nature of our institutions could fully comprehend, the voice of encouragement from this side of the water has too often emitted a doubtful sound, I yet indulge the hope that the result arrived at will ultimately correct the hasty and harsh judgments that flowed from lack of faith and of confidence in our fidelity to a righteous cause. Of the friendly disposition in this regard of the Members of Her Majesty's Government I have never permitted myself to doubt."

That was an honourable testimony on the part of Mr. Adams to the disposition of Her Majesty's Government. On that Government resigning office, the noble Earl opposite (the Earl of Derby), after a short interval, in which Lord Clarendon was Foreign Secretary, acceded to the office I had held, and in a speech to his constituents in November, 1868, he was reported as saying—

> "There has never been any question upon our side of offering reparation for wilful and intentional wrong, because we do not admit, and we have no right to admit, that any such wrong was committed by us."

That also was honourable testimony from a wise statesman and an English gentleman, and I accepted it, as a Member of the former Government, with great pleasure. The real question is, as he stated, whether there was any wilful and intentional wrong, because it was very possible that in difficult matters there might have been unintentional errors; but I deny that we have wilfully inflicted any wrong upon the United States Government. Now, in the autumn of 1869, Mr. Fish, in a despatch to Mr. Motley, which was read to Lord Clarendon with Mr. Fish's permission, said—

> "Then, if the question of negligence be discussed with frankness, it must be treated in this instance as a case of extreme negligence, which Sir William Jones has taught us to regard as equivalent or approximate to evil intentions. The question of negligence, therefore, cannot be presented without danger of thought or language disrespectful towards the Queen's Ministers."

Mr. Fish, in the same or another letter, takes care to speak of—

> "The question of negligence—neglect on the part of officers of the British Government, whether superior or subordinate, to detain confederate cruisers, and especially the *Alabama*."

He implies, therefore, or rather actually states, that such men as Sir Thomas Freemantle, the Chairman of the Board of Customs; Sir Roundell Palmer, the Law Officer of the Crown; and I, as Secretary of State, were guilty of negligence which was equivalent or approximated to evil intentions. Baser or more dishonourable conduct on our part could not have been. Yet that was Mr. Fish's charge, which seems to have been so pleasant to the English Commissioners that they were delighted to meet him and to swear eternal friendship. We happen to have in this country a gentleman, who, having a great knowledge of International Law, has written a most elaborate work upon the neutrality of England during the whole of the American Civil War. It is a work marked by great knowledge of law, by great impartiality, and by great absence of anything like imputation upon any person who has taken part in this question, and in it, that gentleman, Mr. Montagu Bernard, who was also one of the Commissioners sent by Her Majesty to America, in reviewing Mr. Fish's statement, says—

> "The point of his argument, however, is that the British Government did nothing, sheltering itself under the uncertainty of the law, an assertion which is so far from being true that it is directly the reverse of the truth."

And here I must remark that Mr. Fish not only misrepresented the whole of the conduct of Lord Palmerston's Government, but he goes back to reproach Mr. Canning, and says the Foreign Enlistment Act was enacted solely to serve domestic purposes. The fact is, as everyone knows, that Mr. Canning brought forward the Foreign Enlistment Bill entirely in a spirit of fairness towards friendly nations. Mr. Canning said it was too bad not to prevent privateers going out from our ports to prey upon the commerce of a friendly Power; his action in the matter arose out of the hostilities carried on by the Spanish Colonies in America against Spain. It was found that, although on the part of Spain the fitting out of privateers in this country might be prevented, yet on the part of the Spanish Colonies it could not be prevented; and for the sake of Spain this Act was passed, although it was strongly opposed by the Opposition of the time, of which I had the honour to be one. The five Powers of Europe indicated what they considered as the rule of International Law when, in 1869, they decided that Greece should in future abstain from favouring or tolerating—1, the formation in her territory of any band recruited with a view to an agression against Turkey; 2, the equipment in her ports of armed vessels intended to succour under any form whatever, any attempt at insurrection in the possessions of His Majesty the Sultan. That I believe to be not only the International Law of that time, but it is and should be so now: we ought not, in my opinion, to go further. A vessel may leave our ports innocently equipped; but in another port she may obtain further equipment, and sail from a foreign jurisdiction an armed vessel of war. We should, in my opinion, confine our obligation to preventing an armed vessel from leaving our ports to make war against a friendly Power. We now come to the Treaty itself, and the effect of it. I have already said that I object altogether to framing rules which are spoken of in this way—

> "Her Majesty's Government cannot assent to the foregoing rules as a statement of principles of International Law which were in force at the time when the claims mentioned in Article 1 arose; but Her Majesty's Government, in order to evince its desire of strengthening the friendly relations between the two countries, and of making satisfactory provision for the future, agrees that, in deciding the questions between the two countries arising out of those claims, the arbitrators should assume that Her Majesty's Government had undertaken to act upon the principles set forth in these rules."

According to those rules, if a ship had been sent out as a merchantman from Liverpool to Bombay, with the secret intention upon the part of her owner to fit her out as a vessel of war in Madeira, to make war upon a friendly Power, Her Majesty's Government would be liable for any injury she might do. There is no saying to what extent these rules would not make us liable. A merchant in London may send out a merchant vessel to any port of another country, and because he may secretly have the intention of using her for purposes of war against the friends of Her Majesty, this country may be made liable for all the damage she may do. This is so dangerous a provision that I wonder any Government can think of acceding to it. It is matter of certainty that you will not gain friends in this way. I have heard quite lately that the merchants of New York respect this country when it shows any spirit of resistance—any of that old British spirit which used to exist here, and they are far from admiring the concessions which have been made. You will not, therefore, get friends in this way. There is one thing which presses upon my mind very strongly. The late Mr. Henry Drummond, a man of original mind, once said there was a word that used to govern all the world two centuries ago, and that word was *credo*, but that there was another word that now governed the whole world, and that word was *credit.* Two centuries ago we maintained our *credo;* we maintained our Protestant faith; in the time of Philip the Second of Spain, and James the Second of England, we maintained it triumphantly. The destruction of the Spanish Armada, the Battle of La Hogue, and the Battle of the Boyne confirmed our power, and the country has been triumphant in its *credo.* But now we come to credit, and we are told—"What does it matter about British honour; what does it matter about national character? The funds are high, the American bonds are high; the Erie railway shares have improved 1½ per cent since the Treaty has been signed, and that will carry all the world before it." The noble Lord on the Woolsack said he had very little opinion of keeping up the prestige of this country, and I once made by anticipation a similar declaration in the House of Commons. I said, provided the honour, the character, and the reputation of this country were maintained, I cared very little what became of the prestige of the country. That is my sentiment still. I have seen a letter to-day of a person learned in International Law, stating that this Treaty has lowered the reputation of England more than anything that has been done for centuries. I am very much of the same opinion. It remains to be seen what course Parliament will take upon the matter. In the reign of Queen Anne a Message was sent to both Houses to declare that Her Majesty would communicate to both Houses of Parliament the Articles of the Treaty of Utrecht, where the Plenipotentiaries were then assembled, before any Treaty was concluded. That Treaty caused the impeachment of three of the Ministers who concluded it. We had many years afterwards, at the conclusion of the American War, an Address to the Crown not to carry on an offensive war with America. I must say that these precedents are not very encouraging; as party moves they have been successful, but they did not obtain for us more effective provisions than the Treaty of Utrecht and the Treaty of 1783 had provided. I have, therefore, to propose that your Lordships at this time should make an Address to the Crown, with a view to procure such an alteration in the Treaty as will make this country and the United States liable only in cases where violations of International Law, or of the municipal law of the United Kingdom, can be shown to have occurred. I believe that if we do this we shall show that, though we are willing to give compensation for all just claims, we shall at the same time make it evident that we are not contented to sacrifice the honour, character, and reputation of this country. In the beginning of the century there was a Correspondence carried on between Lord Hawkesbury and the French Government in reference to a request made by the latter that certain aliens should be sent out of the country. Lord Hawkesbury, on the part of His Majesty's Government, said that these people must be regarded as our guests, and could not be driven out of the country without violation of the laws of hospitality. The French Minister said—"You have an Alien Act which will enable you to send them away." Upon which Lord Hawkesbury replied, it was true we had an Alien Act, but it was not enacted for that purpose, its object being to secure the peace of England. It was enacted for our own domestic purposes, and we did not make laws merely to oblige a foreign Power. Lord Hawkesbury went on to say that we should be parting with the laws and liberties of England if we were to act at the dictation of a foreign Power in such matters. I really wish that the present Government would rise to the height of Mr. Addington's Ministry on this occasion; it is not too high a point for them to attain. It is because I believe it should be our ambition to retain the honour, character, and reputation of this country, that I beg to propose that this Address should be presented to Her Majesty.

Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased not to sanction or to ratify any convention for the settlement of the Alabama Claims by which Her Majesty will approve of any conditions, terms, or rules by which the arbitrator or arbitrators will be bound other than the law of nations and the municipal law of the United Kingdom existing and in force at the period of the late civil war in the United States when the alleged depredations took place."—(*The Earl Russell.*)

Earl GRANVILLE: I feel, my Lords, that it is of the utmost importance that this question should be fully discussed in Parliament and in your Lordships' House. I think it would have been unfortunate if so important a transaction as the Treaty of Washington had escaped observation in this House, and had not been made the subject of discussion, of scrutiny, and even of criticism, so that we might fairly arrive at the truth and estimate the advantages or the disadvantages of what has been done. I feel this so strongly that I am glad the noble Earl (Earl Russell) has given your Lordships an opportunity of debating it this night, though he has done so by proposing a Motion which, I think, it is almost out of the question your Lordships will think of adopting. I say I am glad, and I say so with some sacrifice to myself, for, as your Lordships may easily imagine, it is not agreeable to me to have such grave censure passed upon that which belongs to the Office over which I preside by one who has not only been my personal friend, but by one whom I have so long regarded as my political chief and guide. To the greater part of the noble Earl's speech it is quite unnecessary that I should make any reply. At the same time, though I regret much of the tone of the speech which has been made by the noble Earl, I must allude to one point in his criticism—which was that in coming to an arrangement which we believe to be honourable to both the great countries concerned, and which we believe to be absolutely advantageous to ourselves, we should have inserted a declaration in the Treaty, stating that we desire to maintain and strengthen the friendly relations between the two countries. We must all feel that the noble Earl has—most naturally—taken this occasion to vindicate the course he pursued when, like myself, he was a member of Lord Palmerston's Government. It was perfectly unnecessary for the noble Earl to quote the opinions of Lord Palmerston and Sir Roundell Palmer, much as I reverence their opinion, because I perfectly and sincerely believe—not merely because I was bound by official duty to support the course taken by the Government of which I was a member—not because it was convenient to take that course with regard to the future interests of this country—but from my personal and individual conviction—that my noble Friend in all that he did with regard to these transactions was actuated by the most sincere and earnest desire and intention to use all due diligence to fulfil the duties of a neutral Power, and that, if anything, in some respects he went beyond the power conferred upon him by law. And when the noble Earl says we ought to have held this language to Mr. Fish and the American Government, I must point out that it was maintained by my noble Friend (Earl de Grey and Ripon) and is inserted in this very Treaty, that we refuse to admit any such liabilities. Having said thus much of the course taken by Lord Palmerston and the noble Earl (Earl Russell) as my Colleagues at that time, I come to the point where the noble Earl opposite (the Earl of Derby) in dealing with this question supported the policy of Lord Palmerston and Lord Russell, deviating from it only so far as to consent to what we had previously refused—to refer the questions pending between the United States and ourselves to arbitration. I think now, as I have always thought, that the greatest possible credit was due to the noble Earl for the moral courage and sense of public duty which he displayed on that occasion. The course which he took was one which was not easy for him, recently established as he was in the Office, not having had an opportunity of acquiring a reputation in that position in the country, and following men like Lord Palmerston and my noble Friend, and it was more difficult, because he belonged to a party which, with one or two exceptions, showed a great bias—perhaps not unnatural, in favour of the weaker party contending bravely for its independence. Therefore, I think great credit was due to the noble Earl for not being afraid of appearing to be afraid and for not fearing the sneers of those who would be certain to accuse him of neglecting the character and honour of the country whose interests it was his duty to defend. The noble Earl at the same time, I think, did us the justice to acknowledge that we showed no party spirit on that occasion, and the only real pressure put upon him was to encourage him in the negotiations he had commenced. After that, my noble Friend (Lord Clarendon) came into office and resumed the negotiations, with what result your Lordships are aware. Owing more to collateral circumstances than to the abstract merits of the Convention itself, the Convention made between this country and America was rejected. By its rejection the Americans no doubt put themselves in the wrong, that any advances must be made by them, and we were entitled in case any demand was made to refuse to re-open the question. That policy was pursued by my hon.Friend to the time of his lamented death, and when I had the honour of unworthily succeeding him I endeavoured, as in all other cases, to follow the course he had pointed out and adopted. I did this notwithstanding the fact that I was on very friendly terms with the distinguished man of letters (Mr. Motley) who then represented the United States in this country. But later in the autumn circumstances occurred which made it desirable to inquire how our relations stood with every country in the world, and when we came to the case of the United States it was impossible to say that our relations were on a perfectly satisfactory footing. There was, first, the San Juan question, which had been slumbering and still slumbered, but which, if not settled, might at no distant date threaten the peace of both countries. There was also the question—in my opinion, the most urgent of all—of the American Fisheries, of which the noble Earl (Earl Russell) has given some description. By putting an end to the Reciprocity Treaty—done, I believe, partly from a strong feeling in favour of Protection, and partly from feelings of irritation—the American fishermen were either excluded from or compelled to take out licences for doing that which they had been accustomed from habit to consider a right. With regard to this subject, there were not only questions between the United States and Canada, but it raised some difficulties between ourselves and Canada as to the amount of police service we were to do for them, in addition to, and perfectly separate and independent from, the obligation to defend the Dominion if it were attacked from without. I endeavoured to obtain, by means of conversations with and letters from great merchants—whom the noble Earl seems to think utterly unfit to pronounce opinions with regard to the interest or the national honour of the country—Members of Parliament, men of letters, and travellers, all speaking with some authority, either from recent visits to the United States or from their relations with that country, what they believed to be the feeling of the American people with regard to the relations between their country and our own. There was an almost concurrent opinion upon this point. They said there was a great deal of that sort of feeling which the French call *chauvinisme,* coupled with a feeling of very bitter resentment at the almost total destruction of their mercantile marine during the rebellion, and which they generally attributed to us. There was also a singular degree of feeling because in all the discussions on this question there had not been one word of friendly regret expressed in regard to a calamity, great in itself, which, however it happened, was disastrous to the United States, and was even very disastrous to ourselves in several indirect ways.

EARL RUSSELL was understood to say that such regrets were over and over again expressed to Mr. Adams when he was in this country.

EARL GRANVILLE: I regret that fact has not been made known earlier, both in this country and in the United States, because, while I believe it would not in the slightest degree have weakened the force of the arguments advanced by my noble Friend, it would have had a very important effect upon the whole course of the controversy. It was, according to the information afforded me, the opinion not only of the masses of the people in the United States, but also of many among the most enlightened classes in society, that the disadvantageous circumstances to which I have alluded, together with all the questions of irritation which were fomented and pushed on by certain political cliques, should be put an end to, and that really friendly relations should be re-established between the two countries. I did not think it safe to act upon unofficial information of that sort, and I therefore obtained the permission of my Colleagues to avail myself of the services of a gentleman of great knowledge of things and of men, both in the United States and in the Dominion, in order to ascertain in a perfectly confidential manner, for my own information, and without committing Her Majesty's Government to anything, the truth of the description with regard to the feeling of the people and the chances of succeeding with any new mode of trying to effect a settlement of the question. I had already had experience of the judgment and discretion of the gentleman who was employed on this mission, and who, performing his task with great public spirit and in a perfectly satisfactory manner, entirely confirmed the information and opinions I had previously received. He was not able to give us any assurance as to the results which might be expected to follow upon any course that might be taken, but he expressed his opinion, based upon conversations he had held with politicians belonging to all the different parties in the country, that anything in the shape of a friendly tribute to the national importance of the country, such as an Embassy or a Commission, might be attended with the most favourable results. This opinion being laid before the Cabinet, it was a matter of very grave consideration whether we should take the step we afterwards took or not; and I am grateful to the noble Earl for his complete approbation of that step having been taken, and the perfectly just tribute he has paid both to the composition of the Commission and to their Secretary. Before the Commission was appointed we asked the United States Government whether they would consent to such a Commission for the purpose of settling the Fisheries question, and the other questions in dispute which related more especially to Canada. They agreed to this in the terms proposed by us, and proposed to us that the same Commission should consider the complaints arising out of the *Alabama* question. I mention this in detail, because I think it was our duty to remain quiescent upon the question of the *Alabama* until the proposition was made to us by the United States. We readily assented to this proposition, and rejoined by another—which was that the mode of settling all other claims arising out of the rebellion should be referred to the Joint High Commission. This also was assented to; and I may mention, in passing, that the reference was a somewhat one-sided one in our favour, because there are hardly any claims remaining unsettled on the part of the Americans; but there is a very large mass of claims on the part of British subjects, some of a large and others of a very small and troublesome character. The Commission went out and was received in a very friendly manner. I am not aware that my noble Friend (Earl de Grey and Ripon) and Mr. Fish swore eternal friendship at the very outset of their proceedings, as has been stated historically by my noble Friend; but I know that they met in the way that two gentlemen representing two great States ought to meet, mainly with feelings of a conciliatory character, and an honest and sincere desire to reconcile, if possible, the interests of the two countries. Now comes the question of how far, under the circumstances, the Commissioners have fulfilled our expectations. The first question relates to Canada, and upon that branch of the subject the noble Earl has passed a very strong censure. I feel there can be no doubt that the Dominion has an equal interest with ourselves in the maintenance of friendly relations between England and the United States, and that, therefore, we ought not to continue lightly to excite bad feelings between the two, and so diminish the possibility of good relations being maintained. We endeavoured in the settlement of the question to do everything that was most fair to the people of Canada. There are several courses which might have been taken in the interest of Canada. We might have been satisfied with written memoranda from the Canadian Government; but such instructions being of an inelastic character would have afforded no guide to us. We might have asked for persons to be appointed to advise the Commissioners. But we took a course which we thought would be the best both for ourselves and for Canada, and we invited one of the ablest of the statesmen of the Colony to act as one of the Imperial Commission as the best means of arriving at an arrangement likely to prove permanently satisfactory to both countries. The Canadian mind has been excited for some time past in consequence of a belief being entertained that the Fishery question was an instrument by which they could compel the United States to abandon those protective tariffs which, I believe, are very injurious to both countries. I believe, however, partly from what I have read, partly from information I have received, and partly from communications I have had with my noble Friend and some of his Colleagues, that it is a great mistake to suppose that that instrument had the power which Canada attributed to it. How, for instance, could the Fisheries question be brought to bear on the Western, the middle, or even the Southern States? Again, the freetraders objected strongly to this sort of arrangement and barter between the two countries, because in their opinion it would strengthen the Protectionist interest. For my part, I cannot conceive anything less conducive to the dignity of this great State, the first of our Colonies, than to go on haggling in regard to this matter. The Canadians have never expressed an opinion, have never manifested a feeling, tending to exclude the Americans, from their Fisheries. What they have said is—"We want an equivalent for what we possess, and that we are entitled to." I believe the wiser course for the Canadians to pursue will be to allow the feeling which has begun to be manifested to increase in the natural course of things, so that in a short time they may obtain what they want without having to give up any equivalent whatever. What, under all the circumstances, could be fairer and more reasonable than to refer to impartial arbitration the question of the real value of the Fisheries in order that a pecuniary compensation might be given for them? I am aware that there are complaints all over Canada of the concessions made by the Treaty; but are there no complaints of a similar character from America? Have no complaints been made by General Butler? One is that the Canadians maintain a protective duty of from 30 to 40 per cent on their Fisheries. Well, I do not say that General Butler is right, but there is a certain appearance of plausibility in the arguments he adduces. It will be the duty of my noble Friend the Secretary of State for the Colonies, after the ratification of this Treaty, to urge on the Canadian Government the propriety of adopting an arrangement which we believe will be honourable and advantageous to their interest. I know my noble Friend will do so in terms of the greatest possible respect for the Government and people of that country, and with the greatest possible regard for the self-government which we have established, and which we wish to leave in their hands to the greatest extent that is compatible with Imperial duties. Indeed, I have little doubt that my noble Friend will address to them arguments which will have considerable effect in allaying the excitement which at this time does unfortunately exist. There is one question connected with Canada in regard to which I must express my regret. I regret that we were not able to obtain a recognition of the claims of the Canadians on the American Government arising out of the Fenian raid. Her Majesty's Government, however, take upon themselves the whole responsibility of this. We did not press these claims, because, having arrived at a satisfactory arrangement on all the numerous and complicated questions at issue between us and the United States, and knowing that the opinion of the High Commissioners, including that of Sir John Macdonald, was that, in the present state of parties, it would be impossible to obtain from the United States a recognition of these claims, we had to consider whether we ought to destroy all the fruits of the High Commission, and allow a third failure to be the result of the negotiation. No doubt arguments might be brought forward in favour of the absolute repudiation of the claims which it should be remembered have never been presented by any Government to the United States. And now I come to that part of the Treaty which has been so severely handled by my noble Friend (Earl Russell), who stated that the whole course of the Commission was concession after concession, and that everything was given up to the United States, without scarcely an argument having been adduced by my noble Friend (Earl de Grey and Ripon) and his Colleagues. At their very first meeting the American and the British Commissioners came to an agreement that they would keep secret their discussions, and that, though accounts of them would be communicated to their respective Governments, yet they were to be considered as confidential, and not to be published. I may add that I have not the slightest doubt of the wisdom of the course pursued by the British and American Commissioners. They had 37 long sittings, and I will venture to say that if everyone of the 10 Commissioners—not to mention the two able Secretaries—had thought it incumbent upon them to show their patriotism and power of debate for the administration of the two hemispheres, the 37 sittings would have been multiplied by at least 10 times, while the result of their deliberations would have been absolutely *nil.* I think the Commissioners on both sides acted advantageously to their respective Governments. The representatives of both displayed great zeal, ability, patience, temper, and an honest desire to come to some compromise, even though the difficulties appeared at first sight to be irreconcilable. The noble Earl (Earl Russell) thinks that whenever the Americans proposed anything it was immediately accepted. This, however, was by no means the case. The fact is, that the Americans, in perfect good faith, laid down a great many conditions which the British Commissioners at once declined to accede to, and even refused to refer for consideration to the Government at home. Many other propositions that were made were referred back to Her Majesty's Government, the Commissioners thinking it their duty to inform Her Majesty's Government that upon their answer in the affirmative or negative the continuance of the negotiations might depend. In considering several of those questions, Her Majesty's Government felt that there would be a great responsiblility in breaking off the negotiations, and that in such an event ridicule, almost, would be brought upon the Commissioners and ourselves. Nevertheless, we at once declined to yield in every case where we deemed it our duty not to yield. With regard, however, to other points, such as those relating to forms of expression, and which did not conflict with the real objects of the Treaty, we willingly either acquiesced in the proposals or else made counter proposals, which were met in the same spirit of fairness by the American Commissioners; whose feelings, I am bound to say, were most admirably described in the brief though eloquent address recently delivered by General Schenck on coming to this country as the representative of the great States beyond the Atlantic in order to cement, under very favourable circumstances, the friendly relations between the two countries. With regard to the so-called *Alabama* claims, we selected that mode of arbitration which had been sanctioned by the precedent afforded by the noble Earl opposite (the Earl of Derby) and by Lord Clarendon. We gave the widest discretion to the Commissioners, subject to the approval by Her Majesty's Government, of any alternative scheme which could be devised; and not only that, but we instructed the Commissioners to avail themselves of the opportunity to settle the question for the future as well as for the past—which we believed it of immense importance to do. The noble Earl objects to what has been done. There are cases in which the difficulties themselves offer an opportunity of solution better than that which is originally proposed, and I believe this is one of those cases. I quite agree that in the course which we were ready to take there were disadvantages which do not exist in the arrangement which has been made. The suggestion that we have exposed ourselves to a claim which it would be difficult for us to resist from Prussia with regard to the export of arms would be mischievous if it were not so utterly illogical, and if the circumstances were not so distinct from those of the other. In the one case we propose to settle demands which we admit, and to make arrangements for the future which we think will be advantageous; in the other case we should have to accede to demands which not only do we not admit, but the admission of which the highest authorities think would involve the abandonment of one of the most useful rights this country has. I never said to Count Bernstorff—"I am doing my best to stop this, if only I can get evidence." I never said I would make an attempt, even if it should be futile in the result; but I said—"This thing I will not do; it is not my intention to do;" and I justified what I said by arguments based on the law and the practice of the country. I certainly did not say, as my noble Friend said, wrote, and spoke, that our law on the subject of the export of arms was a scandal. For these reasons the suggestion of the noble Earl that, on account of the declarations we have made, we are about to make a concession to Prussia, is one that has really no validity. We are all aware that there are great objections to retrospective legislation, and it is not the habit of this House or of the English Parliament to resort to it. But there is a difference between applying it to those who approve it and applying it to those who remonstrate against it. There are exceptions to the rule in even its most limited sense. If my memory does not fail me, the noble Earl last year accepted without remonstrance, a measure the terms of which acted retrospectively as regards the tenure of land in the sister island, but which was not received with willingness by one, at least, of the parties to whom that legislation was applied. In this instance, however, the case is quite different; legislation is one thing, and arbitation under a treaty with a friendly Power is another. The noble Earl likened us to the Greeks and the Turks, and spoke of buying peace; but if he meant to suggest that for any sordid advantage we had sacrificed the honour and independence of this country, I utterly and entirely repudiate the idea. I do, however, assert the fact, that it was right we should, by honourable, just, and fair concession on our part, arrive at a satisfactory solution of serious difficulties. The arguments deduced by the noble Earl from the *Alexandra* case were not quite applicable; for we appealed against the decision of the Court in that case. The noble Earl and I were equally responsible for the appeal, and in the final result there was a collision of opinion between the four Judges. I was glad to hear the noble Earl's defence of his own conduct in reference to the *Alabama,* and his references to Sir Roundell Palmer, who was the chief legal adviser of the Government on International Law at the time; and I am almost certain he is aware that Sir Roundell Palmer is of opinion that these articles do not conflict with anything that was done by Lord Palmerston, or by my noble Friend under his advice. Then, as now, the only object of what was done was to carry out the intentions of those who framed the Foreign Enlistment Act; but we were placed in some difficulty by the passing of an Act which my noble Friend seems almost entirely to have ignored—namely, the Amendment Act of last year. There is not one of these rules which is not completely covered by that Act—and it even goes further than they do. The noble Earl himself said that the Act was designed, not merely for domestic purposes, but to enable us to maintain friendly relations with other Powers; the Commissioners were also anxious to show that the Act had this two-fold object; and I believe that, having passed the Act, we were under some obligations to other Powers to give effect to it. During the late war applications were made by certain States to us to take certain steps. I referred the applications to the Queen's Advocate, who said we were not bound to take them. I had so much doubt that I referred the matter to the Law Officers of the Crown, whose opinion agreed with that of the Queen's Advocate; and, finally, I referred to my noble and learned Friend the Lord Chancellor, who fully agreed with them. We were in this position—that we were bound by the Act; but the American Government were not bound in the least in regard to the future; and I defy anyone to say there is any country which has a greater interest than we have in escaping such depredations as were committed by the *Alabama.* We have agreed to principles which we think are just and right; we have agreed to arbitration to settle details by arbitration, and we have agreed that our subsequent legislation shall be judged by them. According to the Treaty we are to be liable to the consequences of not using "due diligence." The obligation to use "due diligence" implies that the Government will do all in its power to prevent certain things, and to detain vessels which it has reasonable ground for believing are designed for warlike purposes. The gist of the noble Earl's argument is that from the beginning to the end he exercised "due diligence" in order to effect that object, and used all the powers he had at his command. In the same way we are bound to use like diligence to prevent the departure from our jurisdiction of any vessel intended to take part in warlike operations. There is one proposal which was made by my noble Friend so late as last year. After quoting the opinion of an individual who took a very strong part in the controversy, he said—

> "It appears to me that if the officers of the Customs were misled, or blinded by the general partiality to the cause of the South known to prevail at Liverpool, and that a *primâ facie* case of negligence could be made out"—[not an ascertained case after due inquiry and investigation]—"Great Britain might fairly grant a sum equivalent to the amount of losses sustained by the captures of the *Alabama.*"

That passage occurred in the introduction of the noble Earl to his published speeches. Yet the noble Earl now stands out strenuously against any concessions. There is one alternative which I have already stated met my approbation, and which I should have been prepared to sanction if accepted by the

United States—that was the proposition which was made by the noble Earl (the Earl of Derby) opposite. But there are several advantages which we derive from the course which has been pursued in respect to this matter which will be of great service to this country, to America, and in every point of view—

> "It will be seen, therefore, that in the Treaty the United States have abandoned claims which have been insisted upon up to the very last, the subject matter for arbitration being now confined to 'claims growing out of acts committed' by the several vessels. In this respect the Treaty has an advantage over both the Stanley-Johnson and Clarendon-Johnson Conventions. The former Convention provided (Article 4) that the 'Commissioners shall have power to adjudicate upon the class of claims referred to in the official correspondence between the two Governments as the *Alabama* claims.' The latter (Article 1) provided that 'all claims on the part of subjects of Her Britannic Majesty upon the Government of the United States, and all claims on the part of citizens of the United States upon the Government of Her Britannic Majesty, including the so-called *Alabama* claims,' shall be referred to Commissioners, &c. Both Conventions purposely avoided defining what constituted the *Alabama* claims, and admitted almost unlimited argument as to what the *Alabama* claims were. Both Conventions were also open to the objection (at that time unavoidable) that there was no check on the award of the final arbitrator, who might have given damages to any amount."

The official Correspondence included every ground the American Government proposed—therefore it was possible that under that reference almost unlimited damages might be inflicted upon this country. The proposition of Lord Clarendon, though differently worded, was exactly liable to the same objection. But then we were met also under the reference to arbitration with this other objection. Suppose the verdict given in our favour—though of course we all wished that—it would have been a very strong point against that security for the future which we most anxiously desired. On the other hand, if the verdict had been given against us his belief was that some of the claimants would have made good their claims, and righteous damages might have been given; but even if unrestricted damages had been given against this country they would have been given in such a way that the decision would have settled nothing as to International Law. The noble Earl said that the United States has made no concessions; but in the very beginning of the Protocols, Mr. Fish, renewing the proposition he had made before to much larger national claims, said—

> "The history of the *Alabama* and other cruisers which had been fitted out, or armed, or equipped, or which had received augmentation of force in Great Britain or in her Colonies, and of the operations of those vessels, showed extensive direct losses in the capture and destruction of a large number of vessels with their cargoes, and in the heavy national expenditures in the pursuit of the cruisers; and indirect injury in the transfer of a large part of the American commercial marine to the British flag, in the enhanced payments of insurance, in the prolongation of the war, and in the addition of a large sum to the cost of the war and the suppression of the rebellion; and also showed that Great Britain, by reason of failure in the proper observance of her duties as a neutral, had become justly liable for the acts of those cruisers and of their tenders; that the claims for the loss and destruction of private property which had thus far been presented amounted to about 14,000,000 of dollars, without interest; which amount was liable to be greatly increased by claims which had not been presented."—[*Parl. P.* No. 3 (1871) p. 8.]

These were pretensions which might have been carried out under the former arbitration; but they entirely disappear under the limited reference—which includes merely complaints arising out of the escape of the *Alabama*. Not only that, but we have the advantage of obtaining from the American Government their sanction for the future; and this day we have received from them a proposal in answer to an inquiry we made that we should communicate these points in the identical terms expressing the views to which the two Governments have agreed to other foreign nations, in the hope that they may be adopted by them. I believe the advantage of this will be immense; and Her Majesty's Government, neither going on the one hand entirely with those who wished to secure nothing but the past, nor on the other with those who looked only to the future, but taking the middle term, have not made the worst of the past, but have secured immense advantages for the future. My Lords, having said so much I have little more to add. I must, however, say a very few words, and I prefer doing so in the absence of my noble Friend (Earl de Grey and Ripon) at this moment. I do wish to tender very emphatically the thanks of Her Majesty's Government to my noble Friend and to his Colleagues, and to their Secretary, for the part they have taken in this great national occasion. I do not thank them much for the trouble they have had of two trans-

Atlantic voyages, for I can conceive nothing more interesting than the opportunity they have had of seeing men and things in the United States; but I do thank them for the ability, the industry, the knowledge they have shown in dealing with this subject; and, above all, I thank them for having exhibited in their demeanour those characteristics which I believe we have some right to claim for our public men of all parties—namely, the desire to be perfectly straightforward, and to be perfectly honest and conciliatory where the honour and dignity of the country are not compromised. My Lords, I believe this demeanour was felt and appreciated by the American Commissioners. I know it was perfectly reciprocated. I consider it as a very great advantage on the conclusion of this Treaty that we have had the assistance of so distinguished a Member of the Conservative party as Sir Stafford Northcote to help us in this national work, and that in the United States that Treaty was ratified—whatever may be said of the convenience or inconvenience of referring treaties to the Senate—by a majority which comprised both parties in the United States. I cannot help thinking that your Lordships will give a really national character to an act which I cannot doubt will be productive of really good feeling between this country and those with whom we are so intimately connected. And if I may add one word in the hearing of one who may possibly be now present within these walls—of one who acted a distinguished part in these negotiations, and who, by his own influence and the influence of his colleagues, contributed largely to the happy conclusion of the labours of the Commission—one who has lately arrived among us eminently on a mission of peace (General Schenck) I should like to be able to say, on the part of Her Majesty's Government, and I may add, of the country at large, that we do feel grateful to him and to the American Government for the spirit, tone, and temper, which they have manifested throughout the whole of these proceedings. I trust, as the debate goes on, and as he hears men of eminence speaking on both sides, he will observe that in this House we can take large, comprehensive, and non-party views of questions where great national and colonial interests are involved, and that it is not the desire of parties, unless supported by a very general feeling, to interpose embarrassment and difficulty when these can be avoided. I am sure he will see that your Lordships are not behind any class of your countrymen in the honest and sincere desire to have these great questions settled in a fair and proper spirit, and in really genial feeling towards that great nation with whom we have been engaged in these important negotiations.

THE EARL OF DERBY: My Lords, the speech and the Motion of the noble Earl at the Table (Earl Russell) have brought under the consideration of this House two separate, though connected questions. We have to consider, first, the narrower and more limited issue of what is the course we are to take with the Resolution of the noble Earl; and we have next the far larger and more important question, what we are to think and say regarding the merits of the Treaty which is the subject of that Resolution. Now, I will begin by saying, as to the Resolution of the noble Earl, that, agreeing, as I do, in many things that fell from him in support of his Resolution, though differing from others, but thinking even where I do differ that his criticism will be useful to correct exaggerated impressions which have prevailed outside, and to create a sound popular opinion, I hope the noble Earl will be satisfied with what he has done in bringing the subject under the notice of the House, without calling on us to divide. I suggest that course for various reasons. No doubt there is a great deal to be said, both on theoretical and on practical grounds, for the principle that the Parliament and the country ought not to be bound by the acts of the Executive, whoever at the time may compose it, in making international treaties without having an opportunity of considering the merits of those treaties. There are many persons who wish—I confess the wish seems one which is not altogether unreasonable—that a Minister acting diplomatically on behalf of the nation could, according to the practice of the Constitution, be controlled on the one hand, and supported on the other, by the necessity of obtaining the formal sanction of the Legislature. That, as we all know, is the practice of the American Constitution; but it has never been the practice of ours. And I cannot help feeling that it is a very far graver responsibility, and a much more difficult task for either House of Parliament to recommend after its conclusion, and when nothing remains to be done except the formal act of ratification, the breaking off a Treaty which has received the sanction of the Minister of the day, that Minister being backed by a great majority of the other House—it is a much more serious thing to do that than it is to express—as I, for one, am ready to express—the opinion that this Treaty bargain is not what it ought to have been, or that the Treaty itself is not one of a most satisfactory character. We must look at the matter both from an international and a national point of view. As it refers to the United States, whatever I may feel as to the terms of the Treaty, I have not the least hesitation in saying that I would go as far as I could, compatibly with our honour, in respecting their feelings and sensibilities. Whatever may be said about the similarity between the two countries, there are some respects in which we are very unlike them, and in none are we more unlike them than in that which appears the excessive and almost exaggerated sensitiveness to foreign opinion which is so great a characteristic of the American people. Two years ago, when the Senate of the United States rejected the Treaty made with this country by Mr. Johnson, its rejection was received here with some surprise indeed, but with perfect calmness. We may not have thought it a wise act on their part, either for their own interest or for ours; but we felt that we had made a fair offer, that we had put ourselves altogether in the right on those disputed points as to which there might be some doubt whether we had been in the right, so long as an arbitration was entirely refused, and that being so, we cared comparatively little whether our offer was accepted or rejected. But I do not think that if this Treaty were rejected the politicians of Washington, or the people of the United States, would look on that result with the same philosophical composure. There is no doubt that in America the rejection of a Treaty which had gone so far, and only awaits formal ratification, would be regarded as little less than a manifestation of hostility; and I should be very sorry, without the most urgent cause, to break off at this stage a settlement for the policy of which, according to our own Constitution, the Government and the Government alone are responsible. But, further, I am bound to consider what the effect of this Resolution, if carried, would be at home. I do not suppose that the Government would feel themselves justified—I do not say they ought to feel justified—in consequence of such an expression of opinion on your Lordships' part, in breaking off this Treaty without having taken the opinion of the other branch of the Legislature. Well, I apprehend it is almost certain, in the existing state of political parties, that a question of this kind being vital to the existence of a Ministry, and being treated as this undoubtedly would be as one of confidence in the House of Commons, not only this Treaty but any Treaty would obtain the approval that was asked from that Assembly. The only effect of our Resolution, if carried, would be that it would serve as a protest, but as a protest without result, while the House of Commons would have been compelled to give, at least in appearance, its express approval to an arrangement of which probably the majority of its Members think much as the noble Earl does. I do not think that is a position in which it is desirable that the House should be placed. I now pass to the larger question of the Treaty itself, and I wish to say that I look on it as the Treaty of the Government, and of the Government exclusively. I join in all that has been said in praise of the gentlemen who undertook, at the request of the noble Earl the Foreign Secretary and the Cabinet, that arduous public duty; but under all the circumstances, bound as they were by their instructions, and receiving daily communications by telegraph, I pass over the parties who were engaged in negotiating the Treaty, and fix the responsibility exclusively on those who instructed them. I put aside the comparatively small question of the San Juan, because I believe that on that it was long understood that both the American Government and our own were willing to submit to a reference, the American Government only hesitating until it could be included in a more general settlement with other questions. Apart from that, the salient parts of the Treaty are these—first, the apology or *quasi*-apology for the escape of the *Ala-*

bama; secondly, the reference of these transactions to arbitration on the terms stated in the Treaty; and, thirdly, the entirely separate question of the Fisheries. Now, in regard to the expression of regret, I am bound to say there is nothing in the words employed to which abstractedly I take objection. Undoubtedly the Government of the day took steps to prevent the escape of the Confederate cruiser; and, having taken them, we cannot doubt that they were taken sincerely and *bonâ fide.* They failed to prevent the escape, and it is quite natural that they should feel and express regret at having failed to do what they confessedly tried to do. But I do not think it can be said with truth that there was a necessity for inserting those regrets in the Treaty, because no expression of that kind had proceeded from the British Government before. The matter is one on which I hardly like to trust to the recollection of the moment, but I do not think that anyone who has been concerned in these negotiations, however much he may have justified the conduct of the Government of the day, denied that the escape of the *Alabama* was a regretable proceeding. I think, however, it may be questioned whether the insertion of an expression of regret in the very Treaty by which you are referring the matter to arbitration, was wise; it tends in some degree to prejudice our case before the arbitrator, and looks as if there were something in it about which we feel uncomfortable. And though I do not lay any great stress on this point, still I think we did enough to show our willingness to repair any wrong we might have done, or been supposed to have done, when we agreed to refer the whole question to the judgment of a third party. Lord Clarendon on behalf of the present Ministry, and I myself on behalf of the Conservative Ministry, most willingly conceded the principle of an arbitration, and I have never doubted that in so doing we were right. And why? Arbitration means simply this—that no individual or nation is a judge in its own cause; and if you want a fair and impartial judgment you must go to somebody who is wholly unconnected with the transaction. But it is one thing to propose a reference and another to propose a reference in the terms contained in this Treaty. If the Treaty previously negotiated had come to a reference, what would have been our defence? I believe it would have been of a double nature. We should have contended, in the first instance, that we had taken all proper and reasonable care to fulfil our international obligations, and that if there had been any apparent deviation from duty on our part, it had arisen from an accident, and not from any cause within our power. Next, and in supplement to that defence, it would be quite possible to argue—and we should have argued—that our difficulties were greatly increased by the ambiguity of the existing International Law. It is said we have admitted we were wrong because since then we have altered our own municipal law, and have thereby acknowledged that the provisions existing in 1861 were not sufficient to enable us to fulfil our international duties. Yes; but there is such a thing as wishing to be on the safe side, and as pledging yourselves by municipal law to do that which it would be better and more politic to do, even although you may not be bound to do it by any International Law. No one who remembers what were the controversies at the beginning of the American Civil War can doubt that that ambiguity was really a very important element in the question we are discussing. No one can doubt that if the precise limit of our international obligations and the duties which were imposed upon us had been clearly mapped out our difficulties in this matter would have been infinitely less than they were. I look through the Treaty, and what do I find is the basis of the arbitration? We say we do not admit certain rules of International Law to have existed at the time when the *Alabama* sailed; but although they did not then exist, yet 10 years later we have agreed for the purposes of this arbitration to be judged as if those principles had then been in force—that is to say, we are putting ourselves on our trial for acts committed in 1861 or 1862 under a statute which had no existence until 10 years after these acts were committed. That is, I think, very much as if when the slave trade was declared illegal, and that all persons who should in future carry it on became liable to penalties, it had been at the same time enacted that those penalties should apply retrospectively to all persons who had carried on that trade within 10 years before that Act was passed. The noble Earl (Earl Granville) cited what he considered was a parallel case, and said we ought not to object to *ex post facto* legislation, because we had retrospective legislation in the case of the Irish Land Bill last year. I advise the noble Earl not to lay too much stress on that argument. I remember that in the debates which were held last year we frequently heard the words "exceptional legislation," or something analogous to them, on the part of those who brought that legislation forward. But exceptional legislation is a dangerous thing, for this reason—that when you make an exception in one case you are very likely to be asked to do it in another. But, in truth, the cases are not parallel. Our case is much stronger, because although you had some extreme propositions put forward when the Irish Land Bill was discussed, I do not recollect that anybody ever ventured to say that retrospective compensation ought to be granted to all those tenants who had been evicted during the previous 10 years. That would have been really a parallel to the condition by which you have laid yourself in this arbitration. I object on principle to a proceeding of this kind, whether the practical results in this case be important or not. I believe that all *ex post facto* laws are opposed to all just and sound principles, and that when you give way in a case of this kind it is not very easy to resist in another. I have looked for some explanation why such a mode of proceeding was adopted, and I can find only one. All will recollect that two years ago the American Senate refused the free and unfettered arbitration which was then proposed—and I do not know that from their point of view they were altogether wrong in doing so, because, undoubtedly, leaving the whole matter, as was proposed, in the hands of competent arbitrators, who were to judge alike of the facts and the law, the result of those claims as regards the Americans would have been very uncertain. And one can hardly conceive anything more ludicrous than the position in which not only those claimants, but also all the American politicians who had backed their claims, would have found themselves placed if, after all the outcry that had been made, and when their efforts seemed to have had a successful ending, it turned out that their own arbitrators gave the case against them, and they got nothing by the move. They saw this clearly, and they declined to play the game unless they were made tolerably sure beforehand that they would win. The Government appear to have considered that that was not an unreasonable demand, and, if I may use the expression, to have loaded the dice so that by no possibility could the result have been in our favour. It is an easy solution, no doubt. I can quite understand that it might be convenient for the negotiators, or for those who authorized them, to be able to say to the English people on the one hand —"This is only what was proposed before by a Conservative Government; it is nothing but a reference to arbitration, which is fair, and just, and equal to both sides;" while to the Americans, who had refused arbitration of the kind proposed in 1868, the language used would have been—"The English have prejudices which require to be humoured; you must give them something; they will not allow us to give way unless there is some appearance of a third party coming in to decide; do not be afraid; you are quite safe; we have taken effectual precautions so that the gain may be on the American side, and it is only an indirect way of giving you the compensation which you claim." I do not propose to enter into what will be the prospective effect of the three rules; but in the first of them there seems to be an omission of words. As to the fitting out of vessels, it is said that the Government is to use due diligence, prevent the fitting out, arming, or equipping, within its jurisdiction of any vessel "which it has reasonable ground to believe" is intended to cruise or to carry on war against a Power with which we are at peace. But the question at issue is, not whether when a vessel went out there was reasonable ground to suppose she was being fitted out for a warlike purpose, but whether she was intended to carry on war, which is a question that the Government cannot possibly know anything about, because the intention may be confined to the mind of the owner of the ship. Passing on to the third point to which I have adverted—namely, the settlement of the Fisheries question—I confess I am very unwilling to enter upon that discussion. It would not be fair or right to prejudge — even if I could suppose any words of mine could do so—the decision that must be come to by the Canadian Legislature. I fully and readily admit the difficulties that attach to this question ; I admit that the burden of maintaining colonial rights is mainly thrown upon England without any directly corresponding benefit being derived by England. I acknowledge that the Government have acted fairly in giving to the Canadian Legislature what is practically a veto on the decision to which it has come; but I sincerely trust that that veto may be freely considered—that no pressure will be put upon the Canadians, but that they will be allowed to exercise a free and an unfettered judgment; and I shall not call it "free and unfettered" if their decision is given under the influence of any warning that if they are not satisfied with the agreement that has been made for them they must not look for a continuance of the protection they now receive. It was inevitable that this question should be decided sooner or later; but to raise it at the present moment seems to me to be singularly unfortunate, because it involves great danger to the North American Confederation. That Confederation was the result of much labour, and though it was the work of both political parties, and it was intended to prove, as I hope it will prove, of great advantage to the people included in it. But the weak point of that Confederation is, and always has been, that it is composed of separate Provinces, having various and sometimes divergent interests, and as it happens that the maritime Provinces are, as far as voting power goes, only a minority of the whole, it inevitably follows that whenever the interests of the various sections differ the maritime portions are entirely at the mercy of the inland. That objection was taken, and constantly dwelt upon when the federation was before us; and now the precise thing which its opponents foresaw has come to pass—a diversity of opinion between the Provinces. Whether the Convention will be ratified by the Canadian Government it is impossible to predict; if it should not, I am afraid that all the trouble that has been taken in the matter will go for nothing, because it cannot be expected that the Government of the United States will accept a Treaty of which one half cannot be executed. If the ratification shall take place, Upper and Lower Canada will have made what is probably not a bad bargain; but I am afraid, whatever advantage may arise out of it, there will be a good deal of soreness and bitter feeling left in the minds of the people of the maritime Provinces, who, there is no denying, have been, to some extent, thrown over. Their rights amount virtually to nothing; for what are the rights of a minority? Briefly defined they are the right to do what you are told, the right to keep what is left to you, and the right to hold your tongue under penalty of being considered factious. It will not make matters much better if, when the Canadians of the inland Provinces are reproached, as they probably will be, for overlooking the interests of their neighbours, they endeavour to throw the blame from themselves upon others. They will say, I think—"If we could rely upon the continued support of England we should probably have been able to make a better bargain; but we know what is the doctrine of the dominant party in England upon the subject of Colonies; we know that in England there is a powerful party which is only anxious to get rid of all liabilities for our defence; and this being known we have negotiated not exactly on the basis we should have preferred, but for the best terms we could obtain under the circumstances." That will be the justification the inland Provinces will put forward in answer to the complaints of their neighbours; and I must say, although I do not want to aggravate that feeling, yet I do not think the way in which the Colonial claim on account of Fenian raids has been treated will diminish it—and I may remark that the noble Earl himself does not appear to be altogether satisfied with this part of the transaction. I have now pretty well gone through all I have to say upon the subject. In doing so, I have carefully avoided using any language that can give offence to the people of the United States; but they are very unlike what I have always thought them and what they are generally taken for if they feel themselves particularly aggrieved at being told they have the best of a bargain. They have acted in all these matters as shrewd men of business, perfectly willing to be conciliating whenever conciliation did not stand in their way, and at the same time perfectly aware of what they wanted, and fully determined to get it. I am not finding any fault with them for that; but I confess I cannot congratulate our Commissioners on that display of lamblike meekness which has led them to make concessions such as have never been made in former years, and think it would have been better if they had shown some admixture of the same temper. Neither can I compliment the noble Earl on the reasons he gave us for adopting the course he has thought fit to pursue. The noble Earl (Earl Granville) said he had heard in England from persons to whose authority he attached great weight, and who had been in the United States, that there existed in America a general feeling of irritation against this country. I am rather sceptical of the existence of that general feeling of irritation, because the Americans are a reasonable people, and, since arbitration was offered and refused, there was not much ground for resentment or irritation left. But, no doubt, there has always been in the United States an anti-English party, and if the policy adopted of considering it necessary to conciliate American feeling by granting anything and everything they ask is to be the rule of the future, I do not think we are very likely to see the end of that party—because when any party in any country find a policy eminently successful, they are very foolish if they give it up. The other reason given by the noble Earl was that the state of our foreign relations last year made it eminently desirable to keep ourselves on good terms with the United States. If that means that it is eminently necessary to be at peace with America because we may have to fight some one else, I do not think that a very satisfactory statement, nor one which is creditable to the state of our foreign relations. But as for this Treaty, the thing has been done, and for my own part I accept the accomplished fact. We have often heard that saying about a peace of which no one can be proud and of which everybody is glad. I do not think that is exactly the present case, because the American negotiators have certainly reason to be proud of their diplomatic victory. The noble Earl says —"You don't know what they have given up." Of course I do not know what may have passed in those diplomatic conferences, which are very properly not to be made public; but the only concession of which I can see any trace upon the American side is the withdrawal of that utterly preposterous demand that we should be held responsible for the premature recognition of the South as a belligerent Power in company with that equally wild imagination, which I believe never extended beyond the minds of two or three speakers in Congress, of making us liable for all the constructive damage to trade and navigation which may be proved or supposed to have arisen from our attitude during the War. It is not conceivable that pretensions of that nature would have been maintained for a moment, and I must be excused if I decline to treat the abandonment of them as a serious concession. I am glad, however, that at last after a good many years this contest is at an end, and if I had not been connected with the matter before, I should have allowed it to pass by in silence. But I cannot honestly say I think the terms of the settlement are particularly creditable to those who arranged them, or that they will conduce to the diplomatic reputation of this country.

EARL DE GREY AND RIPON: My Lords, I am sure no apology was needed from the noble Earl who has just sat down (the Earl of Derby) for exercising his undoubted right to criticize the Treaty of Washington, and I am equally certain no one could complain of the tone and temper in which his strictures have been made. But I do not think the case he has endeavoured to make out will be endorsed by the country. I think my noble Friend the Secretary of State for Foreign Affairs has been misrepresented by the noble Earl. The noble Earl has told us that my noble Friend gave as his principal reason for having recommended Her Majesty to send out the Commission that he had learnt from many persons that there existed at the time a very widespread feeling of irritation in the United States with respect to the question of the escape of the *Alabama*. My noble Friend, however, gave a very different reason; for he said that he had learnt from very good authority—and I can confirm from personal observation and knowledge the accuracy of the statements made to him—that there are at the present time many men in the United States who desire to see this question settled; that although much irritation had prevailed upon the subject, and still existed among certain classes, yet that information in his possession showed that a different feeling was springing up among influential merchants and politicians; and that, therefore, the time had arrived, now that irritation was dying out, for making an effort to settle the various questions in dispute between the two countries. My Lords, I cannot doubt for one moment that at the time we were sent to the United States as the Commissioners for this country there did exist in that country among men of all parties, and of all classes, an earnest desire to see these differences brought to a conclusion, and the relations between the two countries placed upon the most friendly and durable footing I must also take exception to the assertion made by the noble Earl that those who represented this country upon the High Joint Commission at Washington displayed what he called a lamblike meekness throughout these negotiations in consenting to what he styled a series of concessions demanded from us by the representatives of the United States. I must also express my regret that the noble Earl who has made this attack upon Her Majesty's Commissioners should have left the House before one of the Commissioners has had the opportunity of making his defence. Now, so far from our conduct being a constant course of concession, there were, as my noble Friend behind me (Earl Granville) has said, numerous occasions on which it was our duty to say that the proposals made to us were such as it was impossible for us to think of entertaining. Nothing can be more easy than to take the course adopted by my noble Friend opposite (the Earl of Derby), and to say that all the demands we resisted were so preposterous that it would have been absurd to entertain them, while those upon which concession was made were the only ones really in dispute. My noble Friend says that no arbitrator would have entertained a claim for what the Americans term our premature recognition of belligerent rights and the consequent prolongation of the war. That may be true; but in the Convention to which my noble Friend appended his name, it would have been open to the Americans to adduce arguments on that point. My noble Friend has adopted a very easy method of dealing with questions connected with the Treaty upon which he does not desire to make any observations. He says they are of no importance, or that they were matters which could be settled with the utmost facility. My noble Friend took as an instance the case of the Island of San Juan; but so far from that question being settled with the utmost facility, it was one of those which caused us the greatest trouble. The United States Commissioners raised great difficulties on the subject, and we were obliged to insist strongly upon the views of Her Majesty's Government with respect to it. Then the noble Earl turned to the consideration of that which is undoubtedly the most important part of this Treaty, and that which forms the staple part of the Motion of the noble Earl who has left the House (Earl Russell). I was not surprised to find that, with his usual caution and his usual logic, it was not the intention of my noble Friend to support the Motion of the noble Earl, and I also observed that in the course of the arguments which my noble Friend addressed to the House upon this subject, he very carefully separated himself from the line of argument sketched out in the Motion before your Lordships' House. My noble Friend, before he came to speak of the three rules in the 6th Article of this Treaty, said a few words about the expression of regret, and I was glad to find that my noble Friend did not make any serious criticism on the course pursued by the Commissioners in respect to that matter. But my noble Friend repeated that which was previously asserted by the noble Earl (Earl Russell), and seemed to imply that regret had already been expressed in the Correspondence that has taken place on this subject. That Correspondence, as your Lordships are aware, is very voluminous, and not having looked at it recently I am not prepared absolutely to contradict the statement of my noble Friend; but I should be glad if my noble Friend, or the noble Earl who brought this Motion forward, had been good enough to point in that Correspondence to any distinct expression of regret for the escape of the vessels and the depredations committed by them. I do not think my noble Friend will find it easy to discover any such passage; at all events, I know that the universal impression in America that it does not exist was one of the most fruitful causes of the irritation with which we had to contend. My noble Friend finds fault, too, with the manner in which our regret is expressed. But I submit, my Lords, that when you are about to do an act which is intended to be a graceful act towards those with whom you are dealing, it is surely right that the act should be done in the most graceful manner. I believe that by treating the matter in that way we may go further to remove any angry feeling or soreness from the minds of those who have hitherto regarded us in no very friendly light than by any other course or demeanour. In this spirit we proceeded to consider the question at issue between the two countries, and I believe that it had a great effect in leading to the establishment of good and friendly relations between the two Governments. My noble Friend then turned to the question of reference to arbitration and the mode in which arbitration is provided for under this treaty. Of course, my noble Friend had no objections to urge in the abstract to a reference to arbitration. It is greatly to my noble Friend's honour that he was the first person who endeavoured to settle this question by arbitration. But my noble Friend says we ought to have left the arbitrators to deal with this question simply upon the grounds of International Law as it was when these occurrences took place, and that our municipal law ought not to have been imported into the subject. Upon that point my noble Friend separates himself from the noble Earl (Earl Russell), and the Motion of which he has given notice. The noble Earl (Earl Russell) never denied that he was bound to carry the municipal law of this country into execution. He had always told Mr. Adams he was prepared to do that which the municipal law enabled him to do, and that he considered himself bound to act upon that law. And I do not think it can be maintained that these rules go beyond that which was held by the Government of Lord Palmerston at the time to be the principle of International Law, and the principles laid down by the municipal law of this country, as they were believed to exist. The noble Earl was then pleased to take exception to the rules embodied in the Treaty. A great deal has been said about the first of these rules, and about the difference which exists between the first and the second portion of that rule. The Secretary of State for Foreign Affairs has so fully dealt with that portion of the argument that I will not go over it again. There is one point, however, to which I wish to draw your Lordships' attention. It has been said that under this rule the mere fact of a vessel specially adapted and intended to cruise against the vessels of another Power having departed from the jurisdiction of a neutral Power, under circumstances which rendered it impossible for such neutral to be aware of the vessel's movements, would render the neutral liable to pay for the damage done by such cruiser. Now, I submit this is simply impossible. How is it possible that a neutral Power can have failed in "due diligence" in respect of a matter of which it knows nothing? Such a notion is simply impossible according to the language of the rule itself. The noble Earl himself put forward one of the strongest arguments in favour of the insertion of these rules in the Treaty when he said that the duties of Her Majesty's Government during the American War would have been easier if matters of this kind had been more strictly defined. I will now, without the slightest hesitation, answer the question of the noble Earl as to the reasons for inserting the rules in the Treaty. We believe we have not gone in any way beyond that which was admitted to be the guiding principle of the Government, looking at the question from the point of view of municipal as well as of international law. We consider that we have acccomplished a signal benefit in binding the American Government by rules which are just and reasonable in themselves, and from which, in case of future wars, I am perfectly confident no country on the face of the earth is likely to derive so much benefit as England herself. I hope it may be in our power to induce other Governments to agree to bind themselves by similar rules. In our past history we have been belligerents as a general rule, and not neutrals, and the case of the

American Civil War was almost the first in which we had to occupy the position of a neutral. If that is to be the course of our history in the future, I feel confident that in the course we have taken will be found the greatest security for the protection of the commerce and the promotion of the best interests of this country. These rules will be a great improvement in International Law—they are less stringent than the rules of the Foreign Enlistment Act at the present time, and, looking to the future, they are less stringent than I should like to have seen them made if it had not been for considerations of the past. My noble Friend seems to think that we English members of the Commission did very wrong in not insisting upon obtaining for Canada the re-enactment of the Reciprocity Treaty. Now, I confess I am not a great believer in reciprocity treaties; nevertheless, on this point the members of the Commission were most anxious to conform to what they believed to be the wishes of the people of Canada, and we put this question of reciprocity in the fore front of our arguments, fighting it day by day, and point by point, until it was clear that an arrangement of a different description must be made. I believe it to be a great mistake to suppose that the mode by which free trade between Canada and the United States can be secured is by using undue pressure for the purpose of enforcing a reciprocity treaty—on the contrary, I entertain no doubt that the surest mode of retarding the progress of free trade in America is to persuade the people of that country that to enact free trade would be to give an advantage to England or to the British Colonies, instead of its being, as it would be, a benefit and an advantage to the United States themselves. Free trade principles are making considerable progress in America, and there can be no doubt that in the course of a few years you will have free trade measures passed first as to coal and salt, and then as to lumber, probably, if you do not arm the protectionist party in the country by enabling them to say to the people—"This is British free trade." The arrangements we have made and which are dependent upon the will of the Canadian Legislature, are I think perfectly fair as far as the interests of the Canadian people are concerned, and I think it would be a very serious matter for their Legislature to reject those arrangements, and throw open again the difficult and, as I believe, dangerous questions connected with the Fisheries. We have made the best arrangement we could for Canada—an arrangement which I believe will be reciprocally advantageous to both Canada and the United States—we have made an arrangement whereby, in return for the free admission of American fishermen to Canadian waters, Canadian fish are to be admitted free to the United States and reciprocal rights of free fishing in American waters are to be enjoyed by Canadians. I should deeply regret to find the Canadian Government taking such a step as refusing to adopt that arrangement. It would almost seem as though those noble Lords who have spoken on this portion of the question have forgotten that Canada has the most direct interest in every provision of the Treaty. Of course, the parts relating to the Fisheries and Navigation are in one sense those more immediately affecting the Canadian people; but as Canada is a part of the British Empire and the part most immediately threatened by any differences between this country and the United States, it has the clearest interest in the settlement of all differences with the great Republic across the Atlantic. I have not touched on all the provisions of this Treaty which relate to the Canadian question, because they have not been challenged in the course of the present debate; but those of your Lordships who look at the Articles will find that there are important advantages secured to Canada which are not dependent on those portions of the Treaty that relate to the Fisheries. The noble Earl who opened this debate (Earl Russell) brought against me one of the most singular charges ever brought against an unfortunate person who was intrusted, however unworthily, with a difficult political negotiation. He took me to task because, in his opinion, I had been too civil and too friendly with Mr. Fish. The noble Earl seemed to think, indeed, that I ought to have commenced operations by quarrelling with the American Secretary of State. I plead guilty to the charge brought against me by the noble Earl; and with regard to Mr. Fish, I am bound to say that as far as our experience goes of that distinguished gentleman I found him fair in negotiation, and animated by an earnest desire to promote the establishment of friendly relations between the two countries. It is, of course, a source of deep regret to me that the conduct of the negotiators of whom I was one should have been spoken of by the noble Earl in such language as he has employed to-night. Ever since I have taken part in public life I have looked to the noble Earl with that respect with which he has always been regarded by every member of the Liberal party, and therefore to incur his censure is to me no light matter. But this at least I must say—that I feel content to sit under the censure even of the noble Earl, because I believe I have been able to take a humble share in a great work which, if I be not much mistaken, will not merely tend to bind in relations of friendship two great and noble nations of the same race, but which has also laid down principles that will, if acted upon in the future, promote peace in the world and tend to prevent the greatest of all human miseries—war.

THE EARL OF CARNARVON: My Lords, this is a question which, as has already been pointed out, bears both an Imperial and a Colonial aspect. With respect to the former, I, for one, am prepared to endorse the opinion generally expressed on this side of the House, and to say that the terms of the Treaty represent a poor bargain for this country. Indeed, the only justification of it, that I can conceive, is that it is to be looked upon as an exceptional transaction, and not in the light of a bargain, by which we have conceded so much to the United States on the score of friendship, and it may be from a desire to maintain a good understanding with them—and by virtue of which we are doing for them what we should not do for any other country in the world. After the remarks which fell from my noble Friend, it is right that I should say a few words on the second or Colonial aspect of this question, and I wish I could say that, viewed in that light, I have a much better opinion of the Treaty. If I put the gains and losses against each other, I doubt whether the result is altogether satisfactory. On the one hand, Canada surrenders the free navigation of the St. Lawrence and of the Canadian canals. On the other hand, the United States give up the navigation of Lake Michigan and certain canals. Well, as far as that exchange goes I see no great objection. I am not prepared to say that those canals are of any great value, but I do not say that it is an unreasonable exchange. But the second and more serious point is that which has formed the subject of this evening's discussion—namely, the surrender or exchange of the Fisheries. It would be wrong for us to say anything to prejudge the decision of the Canadian Parliament; but, at the same time, we ought not to flinch from the expression of any opinion which may be justly called for. Canada gives up her rights in respect of the inshore fishery, and nobody can doubt the value of that concession. The right to these Fisheries has been exercised by Canada for generations—has been secured by treaty—and has been guaranteed by our whole naval and diplomatic power. The Fisheries possess moreover a very great commercial value, to which my noble Friend who last spoke failed altogether to do justice; and, lastly, they constitute one of the most important political questions which agitate at this moment large portions of the Dominion of Canada. They form, therefore, as grave and serious a matter of controversy as any subjects we have lately discussed in this House. But, on the other hand, what does Canada receive? The United States surrender the right of fishing down to the 39th degree of North latitude. But this concession is almost worthless. My noble Friend spoke of it as if it were a matter of exchange; but there is no exchange; and to argue on it as a matter of exchange is a transparent fallacy. There is no fish worth mentioning on the American coast except oysters and other shell fish; the Americans have taken good care to reserve these; and I am glad to say that we, in decency, have reserved ours. True, there is a money compensation to be made; but I should have preferred if there had been a commercial or a political rather than a pecuniary equivalent in its place. Formerly I have regretted the loss of the Reciprocity Treaty—it was undoubtedly a loss; but I am not sure that the absence of the United States market has not made Canada more self-reliant than she was before, and that her exclusion from that market has not, in fact, opened up others, and shown that in that respect, as in many others, it is out of the power of any one country to regulate and determine the commerce of the world. But I own that I wish to ask for some explanation of a most singular part of these Protocols. I have read with astonishment that at one stage of the transactions the United States Commissioners voluntarily and gratuitously offered to concede free fish, salt, coal, and lumber after a certain date specified, and that the English Commissioners declined the proposal; whereupon the American Commissioners immediately withdrew the proposal and declined to be further bound by it. I know that the Commissioners included Sir Stafford Northcote, who has as much knowledge of Canadian affairs as any man; and it also contained a most eminent man, of whose judgment and sagacity I have had personal experience — I mean Sir John Macdonald; and I am at a loss to understand how, if he had been left free to act for himself in such a matter, this offer on the part of the United States Commissioners was declined, and one which was by no means an equivalent afterwards accepted. I can only imagine that some pressure was placed upon him. But even stronger criticism seems to me to be called for by the absence of one matter from this Treaty. It is with dismay I find that it does not contain any allusion to the Fenian raids into Canada. For several years Canada has been exposed to these lawless incursions, which, if not fostered by the United States, have, as a matter of fact, originated on its soil. On two occasions they have involved serious loss to the Canadians, and on one of them a serious loss of life. Throughout the whole of this time there has been a standing menace maintained on the borders of Canada; there has been perpetual expense to their Exchequer, and deep irritation to the community. Whatever you may say of the *Alabama* claims you may say, with at least ten times the force, of these Fenian raids. I have searched in vain in the Treaty for any allusion or reference to compensation for these raids, and I am sorry I do not find them mentioned in the Treaty, although I do find them mentioned in the Protocols. The Americans may, perhaps, boast of the way in which these transactions have been conducted; but in England we can have little cause for satisfaction. On the 4th of March the English Commissioners proposed to consider the claims arising out of these Fenian raids; the United States Commissioners simply declined to consider them. On the 26th of April the English Commissioners again expressed a wish to consider them; again the United States Commissioners declined. On the 3rd of May the English Commissioners expressed their regret that the United States Commissioners declined to consider them, and asked them whether they still declined, and they naturally did decline to entertain the proposal. The English Commissioners thereupon say that they will not urge the matter any further, and all the more because some of these claims are in their nature constructive and inferential. But if they are so, I want to know what the *Alabama* claims are. If this plea is to be allowed as regards the Fenian raids, why is it to be disallowed as regards the *Alabama* claims? The noble Earl opposite (Earl Granville) did touch upon this question, and he went so far as to express regret that there was a total omission of the Fenian raids from the Treaty; but when he came to justify the omission I was astonished. He said that the Government did not press the matter, because they had regard to discretion as well as truth; but there is an old saying that discretion is the better part of valour; and that is an explanation which appears to me to be more plausible. All through the Protocols, the English Commissioners invariably propose and the United States Commissioners invariably decline, and the result is the view of the latter prevails. It is practically the same with regard to the *Alabama* claims and to the Fisheries. On the 6th of March the English Commissioners proposed the restoration of the Reciprocity Treaty; the United States Commissioners declined. Then the English Commissioners proposed to throw open the coasting trade; the United States Commissioners declined. Subsequently the latter made a proposal which was accepted. The United States Commissioners offered $1,000,000 for the joint use of the inshore fisheries; this the English Commissioners declined. Subsequently the United States made the offer to which I have alluded of coal, fish, salt, and lumber; and the English Commissioners, through some extraordinary understanding or misunderstanding of the case, refused it; the Americans retracted the offer; and the bargain ended by the English getting only fish and fish oil and money—half the original proposal. The San Juan matter has been alluded to by the noble Marquess as one of extreme difficulty; but I can hardly congratulate him on the mode in which it has been disposed of. Let me point out its solution. In the first instance the English Commissioners proposed arbitration on the basis of the Treaty of 1869; this the United States Commissioners declined. Then the English proposed the adoption of the Rosario Channel, which is favourable to English claims; and the United States Commissioners proposed the Haro Channel, which is adverse to England. Subsequently the English Commissioners proposed the Middle Channel as a compromise; the United States Commissioners simply stood upon their original proposal of the Haro Channel, which was supposed to be adverse to us, and favourable to the United States. Then the English Commissioners proposed arbitration; the United States Commissioners accepted it on the condition that the arbitration should be confined to the Rosario and the Haro Channels; the English Commissioners proposed that the arbitrators might have power to select any one intermediate channel; the Americans declined, assigning as their reason that they would not have any compromise on the subject. In this case, as in the others, what the Americans proposed was adopted in substance, as it generally was adopted in form. That really is an illustration of the manner in which this business has been conducted. But now, little as I admire the terms of the Treaty, or the manner in which those terms have been arrived at, I still must ask myself this question—Were I Canadian, what view should I take of this subject; for Canada has, undoubtedly, the power of withholding her consent from some portions of the Treaty? As a Canadian, then, I will not say that Canadian interests have been disregarded, but perhaps less justice has been done to them than they ought to have received. Canada might even say, with a certain amount of force, that while we had settled for ourselves the *Alabama* claims we had left the Fishery question to be arranged in an unsatisfactory way. On the other hand, I should feel, as a Canadian, that this is essentially an Imperial question in all its bearings; and I should feel, above all, that Canada is a part of the Empire, having cast in her lot for good or ill when the great Confederation of the Dominion was accomplished. Canada then assumed her place in the Empire of this country, prepared not only to fulfil her duties and responsibilities, but to make sacrifices if such were necessary. I know there are those who prophesied that Canada was incapable of bearing the slightest strain on her material interests; but I do not agree with those prophecies, and I hope and believe that the prophets will be disappointed. No doubt this Fishery question will press on some of the maritime Provinces. But, on the other hand, I have that confidence in the loyalty of Nova Scotia and New Brunswick, that, looking at this as an Imperial question, even if it involves sacrifices, they will make them cheerfully for the sake of the Empire. However low national feeling may have ebbed in this country, I believe it swells very high in Canada. I believe that there is, in some respects, a higher estimate of public duty and stronger sense of national life in Canada than in this country. I, therefore, trust that Canada, in the wise and judicious exercise of the power she enjoys, will not take it on her to withhold her consent. She has now an opportunity for showing great magnanimity, and also great political wisdom. These measures are not to be weighed by the mere appearances of the moment, or to be estimated by immediate results. There are reasons which should induce the Dominion of Canada, and every part of the maritime Provinces, as well as the western districts, to feel that at some future day advantages may arise from some of the provisions of the Treaty. The Fishery question has been a source of irritation and risk, and there are other questions, to which I need not now allude, but in which Canadian interests are involved, and which I honestly believe will not be prejudiced by the ultimate operation of this Treaty. For the rest I have no apprehension as to the future if these questions are met by an united Empire, and in a spirit of moderation, good sense, and kindly feeling on all sides. The only fear I have is that England and Canada may meet these difficulties separate and single handed; and my one great hope, wish, and earnest desire is that Canada may now act in the spirit of an integral part of this great United Empire.

THE EARL OF KIMBERLEY: My Lords, when my noble Friend (the Earl of Carnarvon) began his speech and drew a distinction between Imperial and Colonial interests, I was, I confess, filled with apprehension as to the course he was about to take; but the latter part of his speech entirely removed that apprehension, and I must now tender to him my grateful thanks for the advice he has given to Canada, and the manner in which, generally, he has treated this question. My noble Friend said, truly, that this subject must not be treated solely on colonial grounds, but as one affecting the whole Empire. We are frequently told that the bond between our Colonies and the Home Government should be knit closer; but, on the other hand, neither the Colonies nor the mother country can look at these questions in a narrow, provincial spirit. I am far from casting any reflection on the Canadians because there is considerable excitement in the Dominion on the subject of this Treaty, which intimately touches their interests. I am almost ashamed to occupy your Lordships' attention after the speeches of my noble Friends near me; but holding the position I do, I cannot refrain from making one or two remarks on the subject. No greater mistake could be made by the Canadians than to fix their minds in the consideration of this question solely on those portions of the Treaty which specially concern the Dominion. It is perfectly true, as stated by my noble Friend (Earl De Grey and Ripon), that no part of the British Empire can be so much interested as Canada in the existence of cordial relations between this country and the United States. If any difference were unfortunately to arise between this country and the United States, Canada would be the first to suffer; and, on the other hand, the establishment of cordial relations between the United States and the mother country would affect no part of the Empire so favourably as the Canadian Dominion. I say, therefore, that the settlement of these questions is a result in which Canada, above all other parts of the Empire, has a deep interest; while the sacrifices which have been made during the Civil War have not been made by Canada, but by England. Canada is a great maritime country—your Lordships are scarcely aware of the extent to which her shipping interest has increased—and she is therefore especially concerned in some of the most important portions of the Treaty. Addressing myself to the important question of the Fisheries—my noble Friend opposite (the Earl of Carnarvon) said that my noble Friend behind me, one of the High Commissioners, had spoken of the bargain as to Fisheries as one of exchange; and no doubt it would be absurd to value the fisheries of the American coast as an equivalent for the fisheries on the colonial coast. But what I understood my noble Friend to speak of was the value of the free admission of colonial fish into the American market. My noble Friend opposite said he had seen with surprise a passage in the Protocol which referred to the offer made by the American Commissioners; but if he would read the words of the Protocol itself he would find, to a considerable extent, an answer to his own surprise. At page 12 it was stated that the Amerian Commissioners said—

> "That inasmuch as one branch of Congress had recently, more than once, expressed itself in favour of the abolition of duties on coal and salt, they would propose that coal, salt, and fish be reciprocally admitted free; and that inasmuch as Congress had removed the duty from a portion of the lumber heretofore subject to duty, and as the tendency of legislation in the United States was towards the reduction of taxation and of duties in proportion to the reduction of the public debt and expenses, they would further propose that lumber be admitted free from duty from and after the 1st of July, 1874, subject to the approval of Congress."

We have got the admission of fish and fish oil, and the money payment in addition. There is no doubt that the equity of the case essentially turns on the money payment. If Canada on her part gives much more than the United States give on theirs, then nothing could be fairer than that there should be a money payment for the excess of value on one side. I freely confess that I share the objection of my noble Friend behind me to a Treaty of Reciprocity. I know how strong the feeling in Canada is in favour of such a Treaty, and, desiring as far as might be to consult the wishes of all parties of the Empire, I should have rejoiced if it had been possible to gratify the wish of the Canadian people in that respect, even though believing it to be a mistake in policy. But it seems to me that the money payment is a greater recognition of the right to the inshore fisheries than any tariff concessions. I am entirely aware of the very strong feeling which has existed for a very long time in Canada that these fisheries should remain as a means of obtaining tariff concessions from the United States. At the same time, there are strong symptoms that a free trade policy is growing in favour in the United States, and we have every reason to believe that before long a great advance will be made towards the admission of Canadian produce. This Treaty, in all its parts, has a most special bearing on that question, because it is notorious that the Reciprocity Treaty was renounced by the United States not merely because they had adopted a Protectionist policy, but because its renunciation bore an unfriendly aspect towards this country; and I believe that the establishment of a cordial understanding between England and America will be more likely than anything else to lead to the consummation which the Canadians desire. My noble Friend (the Earl of Carnarvon) also referred to a point on which I confess I feel great regret that no more satisfactory conclusion was arrived at. I mean the question of the claim for damages done by the Fenian raids in Canada. The grounds on which that claim was not pressed were very simple. If we had absolutely insisted upon these claims the negotiations might have been regarded as at once utterly and irrevocably broken off: and what I wish to put to the Canadian people is this—considering the great advantages they would derive from the strengthening of friendly relations with the United States, it was not to be expected that we should allow the success of the whole negotiation to be endangered by insisting on these claims. There was, moreover, this difference between the Fenian claims and the *Alabama* claims—that the *Alabama* having committed great depredations on American commerce, any liability arising in that case would be for actual damage done; whereas, in the case of the Fenian raids, the absolute damage done was extremely small, because the Fenians did not advance more than a few hundred yards into our territory and did not dare to remain but a very few hours there. The claim made for compensation included not merely the actual damage done, but the losses caused by the disturbance of trade through the Fenian raids. At the same time, I should have regarded it as a ground for extreme satisfaction—although the amount of money received might have been very small—if we had obtained a distinct admission in principle of the liability of the United States for such losses as were directly occasioned by the Fenians in their attacks upon Canada. My noble Friend (the Earl of Carnarvon) thinks the American negotiators were extremely shrewd in the matter of San Juan. I do not see where their extreme shrewdness lay, unless it was that they insisted on their claim and we insisted on ours. If our case is a good one, as I apprehend it is, I think there was no particular shrewdness on the part of the American negotiators. There are two ways in which you may settle a question like that of San Juan: the one is by a compromise, and the other by getting the rival claims of both sides decided by an arbitrator. The latter is an arrangement equally fair for both parties, and one of which we have no right to complain. In conclusion, I sincerely hope with my noble Friend who spoke last (the Earl of Carnarvon) that the Dominion of Canada will approach the consideration of the subject, in which they are specially interested, in a calm and impartial spirit. No doubt it may seem to them that we have not obtained all that they had a right to expect; but, while I do not think we should make the interests of the Colonies merely subordinate to the interests of this country, I am sure we are not unreasonable in expecting that the interest of the whole Empire should not be made subordinate to those of any particular Colony. I think the Canadian people will do well to look at this Treaty as a whole, to consider that they were represented on the Commission by a Member of their own Government inferior to none in ability, and to remember that this question of the Fisheries is not one which could wisely be left unsettled for an indefinite period, having for a long time been a source of irritating controversy between the United States and this country. It is not unreasonable that we should have endeavoured to seize this opportunity of making an arrangement which would put an end to this controversy. I ought to mention that there are some other very important points on which Canada has obtained considerable advantages—such as securing the right to send goods in bond through the United States, which will be of great advantage to her. The concession of the free navigation of the canals is subject to the confirmation of the Canadian Parliament. It really involves no concession in practice, because the Canadian Government, in a liberal spirit, has never refused the passage of American ships, at least in recent years; and therefore we are only asking them to convert into a law a permission that has hitherto been given as a favour. There are other conditions in the Treaty favourable to Canada, and I hope and believe that the Canadian people will weigh the whole of this matter in a fair, an equitable, and an impartial spirit, and I trust that if they pass the law necessary to give effect to the provisions of this Treaty, its effect will be that they will find that they have conferred benefits on themselves, and also knit closer the bonds of union between the Dominion and this country.

LORD CAIRNS: My Lords, I cannot feel or express any surprise either that the question of this Treaty should have been brought before your Lordships, or that from the state of the House at this moment there should already be a tolerable proof that your Lordships do not think it desirable to proceed to a division on the Motion of the noble Earl (Earl Russell). The Treaty itself is so important as regards the absolute obligations that it may hereafter lay upon this country, so important with reference to the precedent that is introduced of dealing with international questions, that it seems to me hardly possible to avoid at the earliest moment taking some notice of it in your Lordships' House. But I own that, speaking with great respect of so illustrious an authority as the noble Earl (Earl Russell), I think the course he has taken in proposing this Motion is one which it would be impossible for us to follow by supporting it. I will not repeat what has been already said by my noble Friend (the Earl of Derby); but I do not know whether your Lordships have observed the particular form in which authority was given to the Commissioners who had to negotiate this Treaty. I observe that as regards the Commissioners of the United States, the course that was taken by them was to produce their credentials, which consisted merely of an authority to discuss and sign a Treaty subject to ratification by the Senate, and at the same time they informed the Commissioners that by the Constitution of the United States anything they might do must go for nothing unless it was confirmed by the Senate. On the other hand, the Commissioners of Her Majesty produced their credentials, which were of the usual kind, though the words in which they were couched ought to be before your Lordships' mind. Her Majesty is—

> "Giving to them, or to any three or more of them, all manner of power and authority to treat, adjust, and conclude with such Minister or Ministers as may be vested with similar power and authority on the part of Our Good Friends the United States of America, any Treaties, Conventions, or Agreements that may tend to the attainment of the above-mentioned end, and to sign for Us and in Our name everything so agreed upon and concluded, and to do and transact all such other matters as may appertain to the finishing of the aforesaid work in as ample manner and form, and with equal force and efficacy, as We Ourselves could do if personally present: Engaging and promising upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said High Commissioners, Procurators, and Plenipotentiaries shall be agreed to, acknowledged, and accepted by Us in the fullest manner, and that We will never suffer, either in the whole or in part, any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our power."

I refer to these words for this purpose. I am as jealous as any of your Lordships can be to preserve intact and in full the proper power of Parliament; but I maintain that when a Treaty has been signed, as this Treaty has been, by Plenipotentiaries possessing the powers I have read, the mere accidental circumstance that the ratifications have not been actually exchanged makes no difference to the substance, though it may to the form; so that, to all intents and purposes, this Treaty is at this moment, in honour and honesty, as binding upon this country, according to the Constitution of the country, as if the ratifications had been actually exchanged. Of course, it is in the power of Parliament, even if the ratifications had been exchanged, to force the Government to depart from the Treaty; but I maintain that you could not be doing a stronger act if, after the exchange of ratifications, you forced the Government to take that step, than if at a moment of time when nothing was wanting but an exchange of the ratifications you passed the Resolution thus proposed by the noble Earl, which may have the effect of driving the Government to take the same step. I think it impossible for your Lordships to consider that this is a proposition upon which we can really go to a division. But there seems to me to be another reason why, even if the Motion were not open to the objection to which I have referred, and even if it were a Motion asking for the opinion of Parliament upon the Treaty as a concluded Treaty, it would at this moment be inopportune, inexpedient, and, I think, absolutely wrong for us to pronounce an opinion upon it. I say that with reference particularly to the position of Canada. This Treaty, so far as it relates to that country, is binding upon Great Britain by virtue of the constitutional power possessed by the advisers of the Crown to enter into diplomatic arrangements. With regard to Canada it is different, because by the express provisions of the Treaty the obligations of the articles relating to Canada are made to depend upon the question whether Canada in its Parliament will or will not ratify those articles. Therefore, although I maintain that, as regards the questions of Imperial importance in the Treaty, we are not free, Canada is free; and it remains for Canada in a regular and constitutional manner to say whether she accepts those provisions of the Treaty which relate to her. On the one hand, I maintain that we ought not to prejudice the action of Canada in the matter. The resolution of the Dominion of Canada must and ought to be taken upon her own responsibility, and we ought not, by anything we may say, or any Resolution at which we may arrive, to prejudice the course that may be taken by Canada upon that subject. On the other hand, if it should be the case—as to which I will carefully avoid expressing any opinion—that Canada should not agree to accept the terms of that part of the Treaty which relates to her interests, then, when the Treaty comes to be considered in this country, it appears to me that a very grave question may arise in the minds of the persons who may have to consider that Treaty. I can perfectly well understand that some persons will say—"This is a Treaty which, as far as regards Imperial interests, we see some objection to; but, on the whole, looking to the settlement of the Fisheries question, and to the complicated relations that might exist between Canada and the United States, we are willing to put up with and accept what we consider would be otherwise undesirable in the Imperial arrangements for the sake of having closed at once and for ever this difficult question with regard to the Canadian Fisheries." But if it turned out that the question is not closed but remains still open, then the Treaty comes to be considered denuded of its Canadian part, and it may well be that the minds of the people of this country may take a very different view of the Treaty to that which they would take if it were a completed Treaty as regards the whole of its provisions. In the observations which I make upon this document I would speak of the Treaty as one having been entered into by the Government. This is a Treaty which in form is negotiated through the medium of Commissioners. So far as the British Commissioners were concerned, we have the clearest evidence from these Protocols that every clause of that Treaty was communicated to the Government at home, and by them assented to. It is, therefore, a Treaty upon which the Government did not merely give a final approval, but for the daily composition of it they were virtually responsible. Something has been said about part of the Treaty consisting of an "apology." I own that I do not in the least regret that an expression of sorrow was made with regard to those acts committed by the *Alabama* and other vessels of that class which caused such irritation to the Government of the United States; because, so far as I have observed the conduct and expressions of public men in this country—not from one side of politics but from both—although their regret never assumed the formal shape of a declaration from one Government to the other, yet I have rarely, if ever, observed these matters referred to without an expression of regret that those acts should actually have happened, whatever may have been the opinion entertained as to the responsibility of the Government for them. I see no disgrace—on the contrary, I see considerable merit—in the expression by Government to a friendly country of sorrow for acts of this kind, even although we are able to plead our perfect innocence in respect of responsibility. I wish, however, the word "escape" had not been found in the apology, as it is termed, as describing the exit from our ports of the *Alabama* and other ships of that kind. I cannot help thinking that was an unguarded expression which may affect the course of the future arbitration. I can easily imagine that in some minds the word "escape" would be construed unfavourably to this country, for it means that something has got away which might have been retained, and which ought to have been retained; we speak of the "escape" of a prisoner, and the meaning of the term is that there was power to prevent the escape, and that the escape happened in spite of it. I come now to what has been the subject of much more comment, the rules which are laid down to guide the conduct of the arbitrators. I do not know that I do very much, if at all, object to these rules in substance as guides for our conduct in the future; indeed, so important do I regard it that we should have something clear and precise for our guidance in the future, that I should be willing to sacrifice my opinion of what in the abstract would be desirable rules, for the sake of having some rules about which there can be no mistake. That is what I understood to be the opinion of my noble Friend the late Foreign Secretary (the Earl of Derby), when he said these were rules he did not care to object to; and the noble Earl at present in charge of the Foreign Office has truly said that in our legislation of last year powers were taken as a part of our municipal law to enforce compliance with international duty in a manner which would arm us with perfect power to prevent any one of these rules being violated. My remarks, then, upon these rules apply to the past. My Lords, the noble Earl the Foreign Secretary, in the course of his speech, touched a great many topics, and gave us a most interesting history of the origin of this negotiation, and paid most eloquent tributes to everybody and to every country that in the most remote degree was concerned in making, or thinking of, or commenting upon, or has in any way interfered with this Treaty. More ample tribute I have never heard; but when the noble Earl approached the comments made upon these rules by the noble Earl who introduced the question to our notice, I failed to get from him any explanation whatever of the discrepancies noticeable in them. The point does not involve any abstruse principle of International Law; it is matter of the simple meaning of words. The second rule says that a neutral Government is bound not to permit or suffer either belligerent to make use of its ports or waters "for the purpose of the renewal or augmentation of military supplies or arms." These words are too clear to permit a doubt. They strike out the use of a neutral port or neutral waters as a place from which you are to ship military stores. I do not mean to lay down that, under this convention, the American Government would be able to urge against us that during the American War contraband of war was exported from this country in ships which were not belligerent ships. This rule is governed by that which is referred to arbitration as explained in previous articles; and the difficulty is not that we shall have to pay the United States for contraband of war being exported, but a much higher one. We have taken the attitude with the German Government during the late war with France, that it was no violation of International Law that there should be permitted the free export of military stores from a neutral country to one of the belligerents; and without desiring to raise a question unfavourable to ourselves in a controversy between ourselves and the United States or the German Government; but I do entreat the Government to consider this point and let us have an answer upon it. Suppose the German Government comes to the noble Earl hereafter and says—"We had a controversy with you upon this subject last autumn, in the course of which we maintained that you should have stopped the exportation of military stores to France; you maintained to the contrary, but you have gone to the United States and have laid down a rule for the past and the future the words of which amount clearly to an admission of the very controversy in which we were engaged." With what face could you refuse their demand? It is quite possible Her Majesty's Government and the United States Government did not intend this second article should have this construction; but, nevertheless, I contend that this is the simple and ordinary construction to be put upon it. And if this be so I want to know, have the Government taken any steps to prevent this construction being put upon it? [Earl GRANVILLE indicated assent.] I am glad to hear something has been done in this direction; but I regret that the Treaty should scarcely have been read before you have been obliged to apply to the United States to put a different construction upon it from that which its words ordinarily bear. And how have the United States dealt with the application? The Treaty has been confirmed by the Senate, and although the United States Government may assent to a new interpretation being put upon an article, the Senate will have a right to insist upon the general interpretation of the article. Now, my Lords, let us look at the marked difference between the phraseology of the first rule and the second. I do not know the reason for the difference, but it is too clear what the consequences may be. In the first article the duty of the neutral is qualified in this way—the neutral is "to use all diligence to prevent the fitting out," &c., of any vessel "it has reasonable ground to believe is intended" to carry on war against a belligerent. I want to know why these words, "which it has reasonable ground to believe," are not repeated in the second rule? Why is the phraseology so entirely different in the first and second parts of the clause? The only explanation hitherto given us is that given by the President of the Council, who says that the charge against us is that we did not use that due diligence which was incumbent upon us as neutrals. But the words "due diligence" occur in the first part of the clause just as much as they do in the second; and if due diligence is enough, and would prevent the question arising as to whether you had reasonable ground for believing, why should they not be sufficient in the first part as well as in the second? But the question would be one of the first to arise under the second part of the clause. When you urge that you had no reasonable ground for believing that a vessel leaving your ports was intended to cruise or carry on war against a Power with which you were at peace, it may be said that you ought to have known it, and would have known it if you had used due diligence. Therefore, I think it most important that, through what I may call an oversight on the part of those who constructed this clause, those qualifying words which were our only protection were omitted from the second part. And now I am anxious to lay before your Lordships what I feel to be a great danger and a great unfairness to this country in the first part of this rule. Any one of your Lordships who considers the sentence will see that the point turns upon these words "due diligence"—a neutral is bound to use "due diligence." Now, the moment you introduce those words you give rise to another question, for which I do not find any solution in this rule. What is the standard by which you can measure due diligence? Due diligence by itself means nothing. What is due diligence with one man with one Power is not due diligence with another man with a greater Power. Now, this becomes much more important when you introduce another consideration. The rule I have read is to be a rule of International Law, and if there is one thing more clear than another in International Law, it is this, that as between two countries, it is no excuse where an international obligation has been broken for one country to say to another that its municipal law did not confer upon its Executive sufficient power to enable it to fulfil its international duty. Suppose the United States, in applying this retrospective law, should say that the Government of 1863 or 1864 were bound to use due diligence to prevent the fitting out, the arming, or equipment of any vessel of this kind, they might also say—"Do not tell us what the law of your country was. Do not tell us that you required clear evidence to be brought before you of the object for which the ship was intended before you could detain her. You have admitted that you were required to maintain due diligence, and by that standard, and that standard alone, you must be judged." Observe the position in which this country would be placed. You are going to judge this country by a standard which the Executive in 1863 or 1864 did not rise to, and which they could not rise to, because the municipal law at the time prevented them from doing so. What were the arguments used by Lord Palmerston and by the Government of that day? They said to the United States and to Mr. Adams—"You ask us to do certain things in the way of detaining ships upon your suspicions and upon your statements. We are not bound by International Law to detain them, and the municipal law of the country will not permit us to do so." And yet you are going to judge the acts of the Government and of the nation of 1864 by a rule which it was utterly impossible we could have complied with, because it was entirely opposed to our existing municipal law. I desire to point this out to your Lordships as one serious blot in these terms of arbitration. Now, the noble Earl the Foreign Secretary has referred to the position of this matter under the Treaty which was proposed by my noble Friend the late Foreign Secretary (the Earl of Derby), and which was subsequently approved by Lord Clarendon. The noble Earl the Foreign Secretary says you have on the one hand escaped the danger you were under in the former Treaty, and on the other hand you have obtained the advantage in the present form of Treaty of having definite rules by which the arbitrator is to be guided. I quite concur in the opinion that under the arbitration proposed by my noble Friend the late Foreign Secretary and Lord Clarendon it was quite possible for the United States to have made extravagant claims. But what is there in the present Treaty to prevent the same thing? I cannot find one single word in these Protocols or in these rules which would prevent such claims being put in and taking their chance, and under the Treaty proposed by my noble Friend they could do more. There is this difference in a controversy of this kind between leaving all questions open to an arbitrator or arbitrators in whom you have confidence, and in referring these questions to these arbitrators with certain cut and dried propositions unfavourable to your views of the case. Suppose I charge a man with burning my house, and tell him that I hold him answerable for all the damages that ensue; and he said—"You have no power whatever. I happened to be passing at the time and I saw a great number of men attacking your house and burning it. It was not in my power to prevent them doing it. I am sorry to see what happened, and I will refer the whole question to arbitration." I should be quite willing to say—"I am perfectly prepared to refer the question to arbitration if there is an article in the agreement providing that any person passing by while other persons were setting fire to my house and did not stop them is answerable for all the civil consequences of the house improperly being destroyed." Of course, if a man is so foolish as to consent to such an arrangement he must not be surprised when he is made responsible for all the damage. In conclusion, I contend, on the one hand, that this is not the time for pronouncing by a vote of Parliament upon the merit or demerit of this Treaty—that time may come hereafter; but, on the other hand, I maintain that the Treaty is one which, so far as the *Alabama* claims are concerned, has been entered upon most carelessly and most unguardedly, and must inevitably lead to much discussion hereafter in Parliament.

THE LORD CHANCELLOR: My Lords, the Secretary of State for Foreign Affairs might well say at the commencement of this debate that the Government desired nothing less than a full discussion of the Treaty that has been entered into and called the Treaty of Washington, and that it was desirable on all accounts that the Legislature should not show itself indifferent to the importance of the subject-matter of that Treaty. We have had great reason to be satisfied with this discussion, from the opening indictment of my noble Friend (Earl Russell) down to the first and statesmanlike portion of the speech which has just been made by my noble and learned Friend (Lord Cairns). Of the noble Earl it could not be said that he "hinted a fault or hesitated dislike," for his speech was a bold and vigorous onslaught upon the policy of the Government, and I must say that I thought the Resolution with which he concluded was far too weak for his premises, because undoubtedly if—as was most strongly hinted in his eloquent peroration—the Ministers who negotiated the Treaty had been unmindful of the honour, dignity, and character of the country, the only legitimate course would be to call for their impeachment. I shall not now enter upon a discussion of the minute details dealt with by my noble and learned Friend in the latter part of his speech, but say a few words upon the broad question. In the first place, it was well said that there is no correlative connection between international and municipal law in the abstract; that a foreign nation has nothing to do with the municipal law of another nation, but has a right to meet a statement that in any country with which it has dealings there exists no such law as would prevent the acts complained of, with the reply that it ought to have such a law, and that International Law alone must settle the question between them—this being the line taken by the United States in reference to the *Alabama.* But, on the other hand, there is one point of view in which municipal law has something to say on the subject, and is in some way connected with International Law. If you have a municipal law which will enable you to do all that International Law requires, it would be an evidence of ill-will that might lead to coldness between two nations not to enforce that law whenever occasion required. That being so, whenever two bodies of persons meet, representing entirely independent Governments, holding different views on the points to be decided by International Law, it seems to me to be not only not contrary to law, but consistent with the highest wisdom for one Government to agree that though at the time of certain occurrences they were not liable to pay damages for the results of them, they had become willing to agree to prohibit by municipal law a recurrence of such events, and to submit internationally to be held liable under similar circumstances in the future, and that for the sake of maintaining the good feeling generated and the peace so secured for ever, they were willing that events which had occurred in the past should be decided by the amended law of the present. In my judgment, it has been sufficiently shown that the Treaty is by no means disadvantageous as compared with that which existed for a short time in embryo, and was agreed to by the noble Earl (the Earl of Derby) and Mr. Reverdy Johnson. That Treaty would not have placed us in a condition so good as the one now concluded. It laid nothing down in a definitive manner, but left everything open—which was in itself a disadvantage; and taking it as a whole I cannot help thinking that it was a Treaty which would not have had the effect of restoring good feeling between the two countries. It is highly desirable that we should fix definitely what should be the course of proceeding between us and the United States. The only question which remains therefore is, whether the Government, through the medium of the Commissioners, have made proper arrangements to attain this object. I have some complaint against the speech of my noble and learned Friend who spoke last (Lord Cairns). When a Treaty has been concluded, I think nothing but what is absolutely necessary in point of principle should be said against it. But my noble and learned Friend said he had no objection to the rules for our future guidance; and after that admission I was certainly very much surprised to hear him make a series of minute comments on the phraseology of these rules—comments which might be made use of against England in the coming arbitration by those who act on behalf of the United States. I venture to express a hope that the case is not so bad with us as my hon. and learned Friend seemed to take it to be. With respect to the latter part of the second rule about supplies of arms and the recruitment of men, I think my noble and learned Friend will agree with me that the words could only be interpreted as to have reference to belligerent vessels cruising against a State with which we were in amity. The noble Earl (Earl Russell) stated at the commencement of his speech that he was glad to hear me say on a previous occasion, in reference to the demand made by the Prussian Minister, that no jurist who regarded his reputation would maintain there was any limitation in International Law with respect to supplying arms to a belligerent. I still adhere to that opinion, and maintain that this second rule, which speaks of ports and water, has reference solely to vessels. Indeed, the United States practically hold as strongly as we do that there is no breach of International Law in the supply of arms to belligerents. I admit, indeed, that the rule standing alone without any context to justify or control it might be mistaken; but this difficulty will be provided for, as it has been proposed by the President of the United States that the rule shall be submitted to other nations qualified in accordance with the other parts of the Treaty. As to the phrase "rational ground" for believing that the vessel was intended to carry on war against a belligerent, I contend that it does not apply to a vessel not intended to leave the harbour for a destination. As to "due diligence," it must be measured by circumstances. For instance, could the Swiss Government allege that they had used "due diligence" in admitting into their territory the 80,000 French soldiers? I cannot sit down without alluding to what has been said about my remark upon prestige, which has been subjected to some satirical criticism. I might explain that when I said that "I did not regard the prestige of a country as a thing to be desired, but, otherwise, a thing to be avoided," I did not omit to add—"with a due regard to the honour and dignity of the country." I said more, for I added that I believed Her Majesty's present Government had taken care to maintain a reputation for truth and steadfastness, which I regarded as a more important matter than prestige, and that, while they had consulted the honour and dignity of the country, they had secured the respect of foreign nations by establishing peace and tranquillity at home on the basis of well-regulated legislation to satisfy the just wants of the people.

THE MARQUESS OF SALISBURY: I ask myself, in judging of this Treaty, what have we got by it, and what have we given up for it? What we have got by it must be expressed, I fear, in very few sentences, and in very brief language. As far as I can understand, we have got by it simply the advantage of calming the susceptibilities of the American people. I remember a passage in a distinguished essayist in which he dwells on the advantages enjoyed in the family circle by persons who had the reputation of having bad tempers; everything is sacrificed to them for the sake of keeping peace at home. This is the view which the Government appear to take of the American people. The Government appear to think that their susceptibilities are so keen, and their liability to irritation so great, that any sacrifice is legitimate and reasonable which will enable us to preserve friendly relations with them. The Lord Chancellor stated, as a ground for not accepting the offer of arbitration which was made, that it might possibly have resulted in a verdict unfavourable to them, and then their susceptibilities would not have been calmed. In the same way the people of New Brunswick were called upon to give up their valuable Fisheries, for which a money indemnity would be a small compensation. We have heard no reason for abandoning the claim to compensation for the Fenian raids, except the susceptibility of the American people, and that had those claims been pressed the Treaty might never have been concluded. [Earl GRANVILLE was understood to object to this statement.] If what was said does not come to the same thing I do not know the meaning of language. The sole advantage hoped for from the Treaty was the calming of the feelings of this great and magnanimous nation, and for this end Her Majesty's Government persist in treating them as a spoilt child in the nursery of nations. The advantage suggested by my noble and learned Friend on the Woolsack does seem to me to be most problematical. He says that the American people have been persistently urging this doctrine upon us for the last few years, and if we accept it now we shall have the enormous advantage that they will act upon it in case of a war in the future. But, surely, whatever complications may arise the American people will have the consistency to observe the doctrine they have been urging so persistently. The noble Earl the Secretary of State for the Colonies shakes his head, and I dare say he knows the American people better than I do; but no honourable and upright people would act otherwise than as I have suggested. In order to gain this end, you have sacrificed the rights of neutral nations. In the future we all must hope that England will act the part of a neutral nation, and that all which concerns the rights, privileges, and obligations of a neutral nation will concern her more than any other nation in the world. What will be the position of a neutral nation now that this Treaty has become part of International Law? One great disadvantage in which you put us for the future is that there is no longer any such certain thing as International Law, because you have established it as a precedent, and have therefore inserted it on the code of International Law and have made it binding on a neutral nation, that it is responsible for not obeying a rule which did not exist at the time an act complained of was committed. What you have now consented that England shall be punished for doing others will be blamed for doing hereafter. The pretext which America was successful in using against you will be used in future years against other nations—especially when a powerful nation chooses to use it against a weak one. It will be lawful for a belligerent to require of a neutral compensation for the neutral not observing something which the belligerent thinks to be abstractedly just, but which was not in International Law at the time the acts complained of were committed; and that appears to me to be a serious addition to the liabilities and the dangers of neutrals. Another serious alteration is effected by the Treaty—again affecting the position of neutrals. You have promised that you will not suffer any ports or waters in your Dominions to be made the base of naval operations by one belligerent against the other. Consider what is the meaning to England of this. The negotiators thought of Liverpool, Glasgow, and London; but we have ports and waters in many parts of the world—in India, Australia, New Zealand—and are we going to undertake that none of these shall be used by one belligerent against another? So long as these were matters of the comity of nations, merely guaranteed by municipal law, it was open to you to give such interpretation as your own necessity might dictate to the rules laid down for yourselves; but now you have transferred these obligations to International Law, and the decision of your rights and liabilities rests with a powerful belligerent, or some arbitrator of whom you know little. We have not been told what is to be the standard of "due diligence" for us. A neutral will now be bound to adopt a system of espionage in order to ascertain whether any vessel is intended for a hostile cruise. It will be bound to increase its police that it may have full information of all such undertakings. It will be bound to interfere with its subjects, to make minute inquisitions, to take an enormous number of costly and laborious precautions which before this Treaty it was not bound to take. That is the real evil that has come to us—the only reward we have had after all the sacrifices we have made. I have abstained, my Lords, from going into the past history of this question. I feel it is full of matter that might be made the subject of acrimonious retort; but I do not wish to say anything that might raise or add to asperities between the two countries. But I must earnestly protest against the policy which has been adopted by Her Majesty's Government, and especially against the manner in which they have sacrificed the interests of neutrals, and against the enormous increase of danger and liability which that policy will for the future entail upon us.

THE DUKE OF ARGYLL: My Lords, I cannot allow this debate to close without saying a few words. The noble Marquess who has just sat down (the Marquess of Salisbury), as I anticipated, availed himself of the opportunity of doing two things which appear always to afford him great pleasure—the first is to say something amiable about the United States, and the second to say something equally amiable about Her Majesty's Government. It is always very pleasant to kill two birds with one stone, and the noble Marquess has certainly had that pleasure to-night. The noble Marquess has asked a question which he has answered on his own authority—namely, What is our gain from this Treaty with the United States? His answer was, that we have gained nothing except the attempt to soothe the susceptibilities of an irritable nation. I am sorry the noble Marquess did not hear the speeches of two noble Lords who sit with him on the same bench. There is certainly a remarkable difference between the argument of the noble Marquess and that of his two noble Friends. We have gained on the part of the United States an acknowledgment of certain great rules as rules of International Law for the future. There is no doubt about that fact. The noble Earl (the Earl of Derby) who has taken so distinguished a part in this question by departing from the course he had formerly prescribed for himself when he refused arbitration, stated that one of the great difficulties and evils of our position, and of his position as Secretary of State, was the extreme vagueness and the extreme difficulty of exact definition of the rules of International Law. Is it not a great calamity to us, and a great danger to the peace of the world, that we have no rules of International Law except such as are very vague and incapable of accurate definition? I say, then, we have gained from the United

States a concurrence with us in certain declarations of the principles and rules of International Law, which shall guide us for the future. The noble and learned Lord (Lord Cairns) told us that as regards the future he had no fault whatever to find with the substance of these rules: his great complaint is that Her Majesty's Government have adopted rules that are to be applied retrospectively, while, however advantageous for the future, are not adaptable to the pre-existing state of things. The noble Earl the former Secretary of State (the Earl of Derby) seemed somewhat surprised at the interruptions from this bench when he quoted the apparently contradictory admissions made with regard to the non-existence of these rules as rules of International Law. But the admissions we had made were as to the pre-existing state of things. The first admission was in these words—

> "Her Majesty's Government cannot accede to forego rules or principles of International Law which were in force at the time the claims mentioned arose."

That was not a wire-drawn distinction, it was a distinction of the highest importance. What we admitted is this—that these rules had not acquired such force and authority among nations as that we could say with truth that they were acknowledged principles in force at that time; and what we have acknowledged is that though not in force as International Law, yet they are such as Her Majesty's Government have consented to act upon in previous negotiations. That is a perfectly accurate description of the facts. We talk of International Law as an easily ascertained thing. But the sources of International Law are many and various. You have, first of all, the dicta of great jurists; secondly, the decisions of legal Courts, prize Courts, and other Courts administering International Law; you have, thirdly, the Conventions between States, defining their international relations; and, lastly, you have admissions made by different Governments during a long course of correspondence and controversy, out of which new principles of International Law from time to time are evolved. International Law is not a code complete and absolute. It is a growing code—a code not only capable of development, but necessarily developed by the course of events. Every one of the rules we have admitted are rules that have been acted upon before. We have, therefore, effected a great object for the peace of the world by getting the American Government to admit with us that these rules shall be considered in future principles of International Law. That is the great gain of this Treaty. And we have sacrificed literally nothing. There is another point which has been vaguely alluded to in several speeches—namely, the relation in which our municipal law stands to the great principles of International Law. The noble and learned Lord opposite (Lord Cairns) said that our municipal laws are not the measure of our international obligations, and he says we ought to have allowed this arbitration solely on the principles of International Law. Now, the Instruction to the Commission of 1869—leading to the Act of 1870—relative to the laws of the realm available for the enforcement of neutrality, was to inquire—

> "What changes ought to be made in such laws for the purpose of giving to them increased efficiency, and bringing them into full conformity with our international obligations."

I maintain broadly this proposition—that these municipal statutes, one and all, are defensible only on the ground that they are laws to enable the Government to fulfil their international obligations. And so it may be said of the Foreign Enlistment Act. You have no right to prevent your subjects from doing what they have a right to do—you have a right to prevent them from doing what is against international comity, but not any other thing; and therefore I maintain that everyone of these statutes proceeds on the principle that they are instruments for enabling you to fulfil your international obligations. My noble Friend (Lord Cairns) says we were right in referring the question in dispute to arbitration, but ought to have required that it should be decided according to International Law. But International Law is wholly vague and uncertain in these matters. This is not a matter on which Courts of Law or Conventions between different States have laid down definite rules. Then my noble Friend says that we ought to have left the arbitrators to decide, if not upon international, upon our own statute law; but my noble Friend himself towards the close of his Correspondence with Mr. Adams said that neither the law of America, nor our own, had proved upon trial completely efficacious. But efficacious for what? Why, for enabling you to carry into effect your international obligations. My noble Friend confessed—what I am not prepared to confess—that our first Foreign Enlistment Act has proved inefficacious. Then, if we meant not merely to patch up a temporary peace with the United States, but to settle the question of International Law for the future, it would have been perfectly fatuous to have left the matter to be determined according to our statute law. The noble and learned Lord (Lord Cairns) says it will be argued before the arbitrators that we ought to have altered our municipal law if it was inefficient. I say, in opposition to the authority of my noble and learned Friend, that we really had no proof whatever that our municipal law was insufficient for the purpose. The *Alabama* escaped by a mere accident. It was under the Foreign Enlistment Act that my noble and learned Friend tried to catch the *Alabama*, and it was under that Act that he caught other vessels. It is a remarkable fact that every one of the statutes brought in by the United States to enable them to fulfil their duties to other States were brought in upon the remonstrances of foreign Governments and to satisfy those remonstrances. In conclusion, the great boon we have secured by this Treaty is this—that for the future the Law of Nations, as between the two greatest maritime States in the world, is settled in regard to this matter, and that for this great boon we have literally sacrificed nothing except the admission that we are willing to apply to the case of the *Alabama* and that of other vessels those rules—I do not say of International Law, but of international comity—which we have ourselves over and over again admitted.

The Earl of AIRLIE said, he did not rise to prolong the debate, but merely to read to their Lordships, after what had passed, an extract from a Circular addressed by the noble Earl the Foreign Secretary to the Lords Commissioners of the Admiralty on July 19, 1870, in reference to the prohibition of the use of British ports by belligerents. The extract in question was to this effect—

> "All ships of war of either belligerent are prohibited from making use of British ports or roadsteads as a station or place of resort for the purpose of obtaining any facilities of warlike equipment, or for any warlike purpose."

The Earl of LAUDERDALE said he believed that no apology was due from this country to the United States, because in his view we had done no wrong. If he thought we had done wrong he should be the first to advocate our making an apology, but not our going into arbitration. He held, however, that we had committed no breach either of municipal or of International Law. When the *Alabama* left our shores she was an unarmed vessel, not fitted for war in any way. She was taken to the Island of Terceira, 1,500 miles from British waters, and manned and armed off that island. As a sailor he had had a little to do with International Law, and could state that if a vessel had any war fittings or war equipments of any kind they could seize her and detain her; but in applying this new sort of International Law, he knew not what criterion they were to judge by. What was a reasonable cause for supposing that a vessel was going out to cruise against a friendly Power? A Consul or Vice Consul would go to our Minister and say that a particular vessel was about to become a cruiser, and that Minister would represent the matter to our Foreign Office. But it was easy to suppose or suspect anything, and they must have facts to proceed upon. He contended that from the moment the *Alabama* was commissioned and became a man-of-war for the Confederate States we were no longer answerable for what she did. He agreed with the noble Earl (Earl Russell) who had brought forward this Motion, and if he would go to a division would support him.

Earl RUSSELL: I wish to say a few words as to the difficult position in which we shall be placed if we go on continually increasing our neutral obligations, and making it impossible for any Government to carry out those obligations. For instance, in the case of the *Sea King*, on which so much stress was laid, it would have been impossible to have obtained information without bribing the servants or sending spies into every boarding-house in London. This country will next time be obliged to be a belligerent, because it will be her safest position, for to change the law of this country and be a spy in every house would be, of course, impossible. I have, in conclusion, only to state that I cannot allow the Motion to be withdrawn.

On Question? *Resolved* in the *Negative.*

LUNACY REGULATION AMENDMENT BILL [H.L.]

A Bill for amending the Lunacy Regulation Acts—Was *presented* by The Lord Chancellor; read 1ª. (No. 171.)

House adjourned at a quarter past
Twelve o'clock A.M., 'till
half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Monday, 12th June, 1871.

MINUTES.—Select Committee—*Twenty-sixth Report*—Public Petitions.

Public Bills—*Ordered—First Reading*—Dean Forest and Hundred of St. Briavels * [190]; Sewage Utilisation Supplemental * [186]; Local Government Supplemental (No. 4)* [187]; Industrial and Provident Societies Amendment* [188]; Public Health (Scotland) Supplemental* [189]; Vaccination Act (1867) Amendment* [191].

Second Reading—Promissory Oaths * [169].

Committee—Army Regulation [39]—R.P.

Committee — Report — Ecclesiastical Titles Act Repeal (*re-comm.*) [164]; Courts of Justice (Additional Site) (*re-comm.*)* [179]; Oyster and Mussel Fisheries Supplemental (No. 2)* [175]; Local Government Supplemental (No. 3)* [178].

Third Reading—Corrupt Practices Act Amendment * [152]; Metropolitan Commons Supplemental (No. 2)* [163]; Land Drainage Supplemental* [158]; Pier and Harbour Orders Confirmation (No. 2)* [127], and *passed.*

Withdrawn—Game Laws Amendment (No. 2)* [71]; Game Laws (Scotland) Amendment (No. 2)* [21]; Game Laws Amendment* [30]; Game Laws and Trespass* [151].

ARMY—PROMOTION IN THE ROYAL ARTILLERY.—QUESTION.

Major ARBUTHNOT asked the Secretary of State for War, Whether the extra sum of £5,000, allotted in the Estimates of the current year towards providing promotion in the junior ranks of the Royal Artillery, is to be distributed in the manner stated by the Financial Secretary a short time since, or whether any change in the application of that sum has been decided on or is in contemplation?

Captain VIVIAN said, in reply, that no change was in contemplation. It was still proposed to distribute the amount in the manner originally proposed; but the Warrant on the subject could not be made out until the Vote had received the sanction of the House.

SCOTLAND—NEW POST OFFICE AT ABERDEEN.—QUESTION.

Colonel SYKES asked the Postmaster General, When the new Post Office at Aberdeen will be commenced; and, what has been the cause of the long delay in beginning the works?

Mr. MONSELL said, in reply, that the Fish Market had been decided upon as the site for the Post Office, and effect would be given to the decision as rapidly as possible; but certain legal preliminaries had still to be gone through. The delay hitherto had been occasioned by the difficulties attending the selection of a site.

EDUCATION—CHILDREN IN INDUSTRIAL SCHOOLS.—QUESTION.

Mr. BOWRING asked the Secretary of State for the Home Department, Whether, considering that children of eight years old placed in Industrial Schools are capable of receiving useful industrial training, and that the Government Grant of five shillings per week does not pay the average cost of the children in those Schools, he will be willing to reconsider, so far as respects children between the ages of eight and ten, the announcement contained in the Home Office Circular of the 27th April last that the Grant will in future be reduced to three shillings per week in the case of all newly admitted children between the ages of six and ten years; and, whether he will be willing to lay upon the Table any Correspondence relating to the above-mentioned Circular?

Mr. BRUCE, in reply, said, that the reduction to which the Question referred had been made after the most careful consideration, and consultation with the Inspectors. It had been found that the Vote continued to increase from year to year, and it never was intended that the whole cost of these schools should fall on the Imperial Treasury. As the cost of children under 11 was considerably less than after that age, the reduction had been made. He should be most happy, if the hon. Member would move for it, to lay on the Table the Correspondence on the subject, and he would find that many of the managers of the most important schools entirely approved of the course adopted by the Government.

POLICE—CASE OF INSPECTOR SILVERTON—QUESTION.

Mr. EYKYN asked the Secretary of State for the Home Department, Whether it is correct that George Silverton, late an Inspector of the N Division of Metropolitan Police, has been allowed to retire upon a pension of £50 per annum after an inquiry into his conduct as Inspector; and, whether such inquiry was of so satisfactory a nature as to justify the pension being granted?

Mr. BRUCE said, in reply, that the Inspector had been for a long time in the force, and had been 13 times commended for activity and good conduct. On two occasions charges had been brought against him; but upon investigation in neither of the instances had the accusation been proved. Under these circumstances, the Chief Commissioner did not think himself justified in refusing the pension; but the allowance was at a lower rate than usual, as the officer was not wholly disabled.

UNITED STATES—TREATY OF WASHINGTON.—QUESTION.

Sir ROUNDELL PALMER asked the First Lord of the Treasury, Whether the Second Rule in Article VI. of the Treaty of Washington is understood by Her Majesty's Government as prohibiting the use of neutral ports or waters for the renewal or augmentation of military supplies or arms to a belligerent, only when those acts are done for the service of a vessel cruizing or carrying on war, or intended to cruize or carry on war, against another belligerent; and not when military supplies or arms are exported for the use of a belligerent power from neutral ports or waters in the ordinary course of commerce; whether any steps have been taken by Her Majesty's Government to ascertain that the Rule in question is understood by the Government of the United States in the same limited sense; and, if so, with what result; and, whether it is intended, in any communications which may be addressed to Foreign Governments with a view to the general adoption of this Rule, to guard against its being accepted or understood in any larger sense?

Mr. GLADSTONE: With reference, Sir, to the first part of the hon. and learned Gentleman's Question, I perceive that it has been framed with great care, and having considered our reply with equal care, while avoiding entering into any of the details of the Question, I am in a position to answer this part of the hon. and learned Member's Question in the affirmative. In answer to the second part of the hon. and learned Gentleman's Question, I may state that we have had an opportunity of communicating with Lord De Grey, with the right hon. Gentleman opposite (Sir Stafford Northcote), and with Mr. Bernard on the subject, who have all of them given us the fullest assurance that the understanding referred to in the first part of the hon. and learned Gentleman's Question is that of the United States in reference to this matter, and, further, that it has been in our power to communicate with the distinguished gentleman who has arrived in this country as the representative of the United States, who was a member of the Joint High Commission —General Schenck—who has informed Her Majesty's Government that such was his understanding also of the meaning of the Rule in question; and, indeed, we have been told by that gentleman that the President of the United States himself understands the Rule in that sense, and that the latter would himself be the first not only to admit and allow, but to contend for that construction of the Rule in question. With regard to the third part of the hon. and learned Gentleman's Question, I am able to state that Mr. Fish, the United States Secretary of State for Foreign Affairs, who was also one of the Commissioners, has expressed an opinion that it would be advantageous if the two Governments were to make a joint declaration which should place the meaning of this Rule beyond all chance of misconstruction. I believe that communications have been entered into between some of the British Commissioners and some of the United States Commissioners and other distinguished authorities in America on the subject, and that they also have come to the conclusion that it is impossible to entertain the slightest doubt but that the meaning to be attached to the terms of the Treaty is that which the contracting parties themselves attach to them.

PARLIAMENT—PUBLIC BUSINESS. QUESTION.

MR. PIM asked the First Lord of the Treasury, Whether he can fix a day for the consideration of the Report from the Select Committee on the best means of promoting the despatch of Public Business in this House?

MR. GLADSTONE: Sir, the Government have some time ago considered the course which they should take with respect to the Report of the Select Committee on the best means of promoting the despatch of Public Business, and they have been anxiously waiting for the opportunity of finding a day for the purpose of submitting it to the consideration of the House; but I am compelled to state that, although I still look for the earliest opportunity it will be in our power to find, yet it is not in our power to fix any day for that or for any Public Business, except such as can be taken at the close of the business of the evening, until the Army Regulation Bill shall have passed through Committee.

REAL ESTATE.—QUESTION.

SIR HENRY HOARE asked the First Lord of the Treasury, Whether he is prepared, in the ensuing Session of Parliament, to bring in measures to facilitate the Transfer of Land, to deal with the Law of Entail, and to assimilate the Devolution of Real Estate in cases of intestacy to that of Personal Property?

MR. GLADSTONE: Sir, Her Majesty's Government had not forgotten that they had advised Her Majesty to announce in the Speech from the Throne in 1870 that measures to facilitate the Transfer of Land, to deal with the Law of Entail, and to assimilate the Devolution of Real Estates in cases of intestacy to that of Personal Property, would be submitted by Her Majesty's Government to Parliament. Her Majesty's Government felt that that obligation was still in full force, and they would look for the very earliest opportunity of fulfilling their promise.

ARMY REGULATION BILL.—QUESTION.

SIR GEORGE GREY: I wish to ask my right hon. Friend the Secretary of State for War a Question of which I have given him private Notice, which is this—Whether, having regard to the period of the Session at which we have now arrived, and the unusually long time which has been occupied by the Committee on the Army Regulation Bill, and also the very long list of Amendments which are still on the Paper with respect to that Bill, the Government have decided upon the course which they may think it right to pursue with regard to the remaining clauses of that Bill—whether, in fact, a statement which has appeared in the public journals is true, that it is their intention to propose to divide the Bill into two parts, and postpone the consideration of the latter clauses of the Bill to a future period?

MR. CARDWELL: The abolition of purchase must, in the judgment of Her Majesty's Government, be carried into effect without delay. We acknowledge it to be incumbent upon us as a duty to prevent the continued violation of the law, which was stated in the debate of Thursday night by my right hon. Friend the Member for Morpeth with so much authority as Chairman of the Royal Commission. We have now the power to prevent that violation in future, and to put an end to purchase; but we do not see how the full compensation and the security for it which we have sought to obtain for the officers of the Army can be obtained without an alteration of the law. Under these circumstances, we are determined that no share of the inconvenience which any delay in the passing of the Bill must occasion shall be attributable to us. Organization is the work of the Executive Government. The object of a Bill is not to lay down the details of a system of organization, but to remove obstructions and to confer powers. The transfer of power from the Lords Lieutenant of counties, to which no substantial opposition has been offered, we deem to be essential; but the other powers proposed to be conferred by the Bill, though useful, are not absolutely necessary, and we shall not insist upon any of them whenever we may find reason to believe that by doing so we should occasion delay in the progress of the Bill.

Mr. DISRAELI: In consequence of the declaration just made by the right hon. Gentleman the Secretary of State for War, I beg to move the adjournment of the House. Notwithstanding the rumours which have been prevalent, I have listened to that declaration with surprise, and, so far as I am concerned personally, with some embarrassment. It was the representation that I made to my hon. Friends that induced them to accede to the second reading of the Army Organization Bill, because it was a Bill brought forward in deference to the decided wish of the country for the re-organization and improvement of our forces; and because it was, as I stated to them, and afterwards to the House, that I believed the Bill to be the first *bonâ fide* attempt on the part of Her Majesty's Government to establish an efficient Army founded on an adequate Reserve. I must, therefore, protest against the course which Her Majesty's Government are taking. They are not complying with their engagements with the House and with the country to establish an efficient Army founded on an adequate Reserve; they are, in fact, blinking and avoiding the fulfilment of that great duty to which they were bound by every engagement that could influence public men. I considered myself, and I expressed my opinion, that the question of purchase, though an important, was by no means a paramount, or even essential, part of their Bill, and I believe that that interpretation was accepted by the Government. In the discussion, I said that that was a question on which, no doubt, there was much variety of opinion; that the ultimate decision of the House with respect to it this Session would, in my opinion, be greatly influenced by the state of our finances; and I thought it might be a question that might be dealt with in Committee. I did not for a moment recognize the abolition of purchase as the principle of the Bill for the re-organization of the Army; the institution of an efficient Army founded on the establishment of an adequate Reserve. We never, and I believe no hon. Gentleman in the House, accepted the question of a re-organization of the Army in that limited and restricted light. The discussions on the subject of purchase have opened very serious objections to the proposition of the Government with respect to that limited question. It has been felt by the House, and I believe it has been felt by the country, that the abolition of purchase in the manner proposed by Her Majesty's Government is liable to these two great objections—first, that it would involve this country in vast and indefinite expenditure; and, secondly, that it seeks to abolish an existing system without proposing any substitute in its place. In the face of those great objections, I do not think that Her Majesty's Government are entitled to press forward the abolition of purchase and, at the same time, avoid the fulfilment of the object which the country proposed to itself, and which, I think, Her Majesty's Government are bound to accomplish. If it is their opinion that they have not time, during the present Session, adequately and completely to deal with it; if they think that they cannot pass a measure which will fulfil the expectations of the country and the necessities of the State, it is open to them to withdraw their measure, and introduce one next Session which will deal with the whole question in all its bearings; and I cannot but believe that that course would be far more satisfactory to the country. The country never can be satisfied by a mode of dealing with so great a question as the military organization of the country in a manner so imperfect and now apparently so hurried, and so little calculated to meet the expectations entertained throughout the country when Parliament assembled. Under these circumstances, I must enter my protest against the conduct of the Government. I do not see how, if they withdraw those important provisions for welding together the Regulars, the Militia, and the Volunteers, and proceed only with the provision for the abolition of purchase, they can ask the House to read such a measure a third time. This is not the Bill to which we gave our assent on the second reading. Her Majesty's Government are not treating the House in a straightforward manner in pursuing that course. There is a want of candour and ingenuousness in their conduct which I should be sorry to see distinguish the conduct of any public men; and, so far as I am personally concerned, I feel some humiliation in having been induced to advise my Friends to agree to the second reading of a Bill which I now find withdrawn as to all the important provisions which induced me to give that advice to my Friends. I beg to move that this House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Disraeli.*)

MR. NEWDEGATE said, it appeared to him that Her Majesty's Government had obtained the Supplies upon false pretences. It was not only that this Bill had been read a second time, but also that the House of Commons had voted for the purposes of the Bill large sums which were now in possession of Her Majesty's Government, and were under their control; and therefore the House ought to object to the proceeding now announced by Her Majesty's Government as a violation of their duties inadequately securing the appropriation of taxes and guarding the public purse.

MR. GLADSTONE: As far as regards the financial perplexity of the hon. Gentleman who has just sat down (Mr. Newdegate) it appears to me a matter of no great difficulty to remedy that perplexity. The hon. Gentleman has said that Her Majesty's Government have obtained Supplies for the purposes of the Bill upon false pretences, the hon. Gentleman, in the innocence and simplicity of his mind, being wholly unaware that the House has not voted up to the present time a single farthing for the purposes of the Bill. [MR. NEWDEGATE: I spoke of Supply.] No portion of Supply depends upon the provisions of the present Bill, except what is entirely insignificant. For the purposes of the present Bill, the House has not voted the money which it was intended to ask. The right hon. Gentleman opposite the Member for Buckinghamshire (Mr. Disraeli), however, has undergone much more serious mental trouble, for he has experienced a painful emotion of surprise; he has observed what must be still more grevious to him—a want of candour and ingenuousness on the part of the Government; and, thirdly, he has undergone a sentiment of humiliation. Well, to a certain extent, I can understand that there has been in recent proceedings occasions for surprise, and, perhaps, occasions for humiliation; but not that any portion of that surprise or of that humiliation is due to the proceedings of the Government. The right hon. Gentleman appears to think that he conferred a very great service upon the Government by recommending his Friends not to divide upon the Bill which has been before the House and which forms the subject of the present discussion. But I may observe that his recommendation was not given until the end of a five nights' debate—a debate which had occupied two weeks and a-half of Government time—that is to say, time with respect to which the House places itself under the guidance of the Government; and I really am not aware that the opponents of the Bill, having thus debated it for five nights, or two-and-a-half weeks of Government time, have any reason to complain that they lost much in consequence of the recommendation of the right hon. Gentleman. The right hon. Gentleman himself states that he regarded the abolition of purchase as a very secondary portion of this Bill, for he considered it to be a Bill for the organization of the Army. But the question is, how was it represented to the House. Did my right hon. Friend the Secretary of State for War, in introducing this measure, represent it as a Bill of which the abolition of purchase was a secondary part; or did he not, on the contrary, represent it as a Bill of which the abolition of purchase was the leading and essential feature? If the right hon. Gentleman regarded the Bill as one of which the subject of purchase was a secondary feature, who else upon that side took the same view? About what did the five nights' debate arise? Was it about the clauses of the Bill which relate to Army organization? On the contrary those five nights' debate grew wholly out of the consideration of the subject of purchase. It has been as a Bill for the abolition of purchase that this measure was presented by my right hon. Friend on the night when he introduced it. It is needless to quote from his speech particular passages, because the whole speech was instinct with that opinion and feeling. It was presented as a Bill for the abolition of purchase, and with that subject my right hon. Friend presented other matters of comparatively subordinate importance. If there was any other part combined with it which my right hon. Friend treated as of great importance, it was that to which he referred in the answer he gave to-night with respect to the transfer of the power of the Lords Lieutenant of counties to the

Executive Government, and that transfer of power it is still his intention to ask the House to sanction. It is quite true that the right hon. Gentleman has had much mental experience in connection with the history of this subject. We have not forgotten his declaration on the second reading in favour of the abolition of purchase, nor have we forgotten the satisfaction with which we heard it. Neither has it escaped our minds—the retractation of that declaration which he felt himself obliged to make on a subsequent occasion. He now has found reasons why the abolition of purchase proposed by the Government is bad; but are these reasons which have emerged in the course of the discussion? Has my right hon. Friend, in the course of this debate, changed his plan to the prejudice of the parties affected by the abolition? On the contrary, the only change of plan was a change regarded with approval by hon. Gentlemen on the other side as a very material one, and wholly in favour of the officers of the Army—I mean the removal of the limitation upon our power of purchase from year to year. The right hon. Gentleman has now found reasons why it is hardly to be expected that the House should accede to the Bill. But every one of those reasons was as patent and as palpable as it is now at the moment when he expressed the segacious opinion from which he unfortunately has since receded, that the time has come when the system of purchase should be abolished. [Mr. DISRAELI: I never said so.] Well, then, I will alter the form of my declaration, and call it the time when the pleasing, genial, and satisfactory impression was produced all over this side of the House, and I believe in the public out-of-doors, from the belief that the right hon. Gentleman had, however erroneously, yet in terms sufficiently explicit, declared his acceptance of the principle of the abolition of purchase. There is no want of candour or ingenuousness on the part of the Government with respect to this proceeding. We have adhered to the entire Bill until we have reached a period of the Session and a state of affairs which made it our duty seriously to consider the situation. We have spent eight days in Committee upon two clauses and a-half of this Bill, and the right hon. Gentleman who says that purchase is but one secondary portion of the Bill must shut his eyes to that fact during those eight days, and, I think, more than eight days, before we go into Committee, purchase, and purchase almost alone, has been the subject of debate in this House. We have seen discussions conducted in a manner to which I will apply no epithet whatever, but of which I will say that which must be palpable and obvious to anyone—namely, that if the legislative proposals made in this House were usually met in a similar mode, this House might as well shut its doors and abdicate entirely the functions of a Legislative Body. We have seen the Chairman of Ways and Means rise time after time to give his judgment against the method in which, upon every detail and every expression of the Bill, the whole principle of the plan was debated and re-debated, and we have seen that judgment of the Chairman of Committees advisedly passed by and trampled upon, and this method of opposition pursued until we have reached a point at which we have two questions to answer—first of all, whether this Bill is to pass, and, secondly, whether it is to be made the means of obstructing and preventing all the other legislative business of the Session. Sir, this is a grave state of facts, and the Government would not be justified in the position which it holds, and with the responsibility which it has to bear for the conduct of Business in this House, if, under these circumstances, it had not reviewed the various portions of this Bill in order to see in what manner we could, with the greatest convenience and advantage to the public, facilitate the obtaining of powers which we deem it important to obtain. And why do we deem it important to obtain those powers with regard to the abolition of purchase? It has been explained by an hon. and learned Gentleman. It is for no purpose of our own convenience; it is not because purchase rests upon statute—it rests partly upon regulation and partly upon defiance and contempt of statute; but the reason why we have deemed it important to obtain these powers is because we have come to the conclusion that a method of dealing should be adopted which appeared to us the most liberal and generous, and, if open to objection at all, only open to objection in the sense of those who condemned it as too burdensome to the public. And then we have found ourselves met by an opposition which aims not at debate, discussion, or illustration of facts, but at making legislation a physical impossibility. Under these circumstances, my right hon. Friend has explained the motive which has led us to impose upon the majority of this House the burden that it has had to bear in connection with this Bill. It is not because an Act of Parliament is necessary with the view to the abolition of purchase; it is because an Act of Parliament is necessary, in order to abolish purchase in that method which we think requisite, so as to do full and liberal justice to the officers of the Army that we felt it necessary to alter our plan; and it is on account of that desire on our part, and of our having modelled our plan according to that desire, that we have been met with the opposition we have encountered, and that this burden, which I have described, has been imposed on the House. Under these circumstances, the right hon. Gentleman kindly informs us that it is in our power to withdraw the Bill. We are, I am sure, much obliged to him for that information. I may, however, tell him that we have not formed the intention to withdraw the Bill, but we have formed the intention to lighten it, so far as depends upon us, of matters which are not essential to its great and main object, asking for those powers and provisions which we deem to be necessary, and postponing what does not come under that category. My right hon. Friend near me has announced that our great object in announcing this intention is that we may not be responsible for any delay in the passing of this measure. Whether it is or is not in the power of a majority of this House to give effect to its deliberate judgment is a question the solution of which was never, I believe, until this year regarded as doubtful. If it has been brought into doubt this Session, it has been by no act of ours. We cannot say which view the majority will take of the matter, or up to what point it may persevere in the exercise of its undoubted rights. But we, the Government of the Queen, have a responsibility which is separate even from that of the majority of this House, and having proposed to Parliament a plan so grave in its character, which undoubtedly modifies and alters the position of officers of the Army, whom we look upon as the heart and soul of the Army, we do not intend to reduce our estimate of that responsibility, and my right hon. Friend has stated, and justly stated, in the name of his Colleagues as well as his own, that in the judgment of the Government it is requisite the abolition of purchase should be carried into effect without delay. Of that responsibility we shall endeavour to acquit ourselves. But we have struggled, and are still struggling, to acquit ourselves of it in a manner by which alone, as we think, principles which we deem to be fair, and liberal, and generous, shall he most unequivocally affirmed and asserted on behalf of the officers of the Army. The decision which we have taken is justified by the position at which we have arrived—a position which we have not created for ourselves. Those who have created it have no doubt satisfied their own minds and hearts of the sufficiency of the motives by which their conduct has been governed. That, however, is a matter which it is not for me to scrutinize; but it is for the Government to consider what are their obligations; and those obligations, we mean so far as the abolition of purchase is concerned, by every legitimate means in our power to redeem.

Lord ELCHO: There have been one or two points raised in the course of this discussion on which I wish only very briefly to touch. The Prime Minister has spoken of the genial glow of satisfaction which pervaded the hearts of hon. Gentlemen opposite at a declaration made by the right hon. Member for Buckinghamshire (Mr. Disraeli), on the occasion of the second reading of the Army Bill, but that right hon. Gentleman now denies that any words calculated to cause such a glow ever fell from his lips. I would also observe when the Prime Minister talks of the opposition to the Bill having been carried for eight days in Committee, that it proceeded, not simply from this, but from the other side of the House also. I may incidently remark that a greater number of Amendments were, on the whole, moved by hon. Gentlemen opposite than by us sitting on these benches. The right hon. Gentleman objects to hon. Gentlemen on either side of the House when in Committee doing what? Why, adhering to the question which was really under discussion—the question of purchase. I should like to know whether, if instead of doing that, they had gone from one part to another of the Bill, and had debated Part II. or Part III. of the measure which the Government now, it appears, are about to drop, they would not have been called to Order by the Chairman, and whether the Prime Minister himself would not have endeavoured to stop hon. Gentlemen, by appealing to the Chairman, when he thought they exceeded the limits of debate? But these are incidental points in a grave question. What is the course taken by the Government with reference to this Bill? The Prime Minister has sought to lead the House to believe that the subject of purchase is the real question at issue. He says—"We have lightened the Bill of matters not essential to its great and main object." He tells us that the Secretary for War stated, in moving the second reading, that the abolition of purchase was the main object of his proposal—that it really was the soul and body of the measure. Now, I do not on the present occasion desire to enter at any length into this point, but I wish to put a question with respect to the opposition which was offered to the second reading. I, for one, did not oppose it on the ground of purchase. I took much wider ground, and I contended that the Bill was wholly unsatisfactory for the attainment of the object which its authors professed to have in view. I tested that by a gauge. How did I get at that gauge? I took it from the right hon. Gentleman the Secretary for War himself. The gauge was this—that this measure of Army regulation or Army reform, call it what you will, was introduced for what purpose? To abolish purchase—to enable the Government to exercise the power of selection which they will not tell us how they are to exercise? No. According to the Secretary for War this Bill was brought in to render panic, or the apprehension of panic, for the future for ever unknown. These were the *ipsissima verba* of the right hon. Gentleman, on which I endeavoured to ring the changes on the occasion of the second reading. He used similar expressions, too, in Oxford, I am told, when addressing the Druids. But, be that as it may, we heard them in this House, and I apply the gauge which I applied on the second reading now again to this Bill. If you lighten your measure, as you say you mean to do, by casting overboard matters not essential to its great object, which you tell us is purchase, I wish to know, if the Bill passes in its mutilated shape, whether it will answer that gauge—whether, in the words of the Secretary for War, it will render panic, or the apprehension of panic, for the future altogether unknown? Tried by that standard your Bill seems to me to be a miserable failure. I, for one, shall not regret whether you withdraw any part or the whole of it, for I believe the whole scheme to be a great sham. But you have laid great stress on your Bill, and now you are going to mutilate it and leave in it nothing but the clauses relating to purchase; but instead of bettering your position by that course you will, to use a word which I have heard from the Prime Minister on more than one occasion, only "worsen" it, for you will be calling on the House of Commons to vote some £10,000,000, while there will be nothing to show for the expenditure of any sort or kind, except that a power will be conferred upon the Minister which he cannot, or will not, or dare not tell you how he proposes to exercise. It is really too great a farce to call this a measure of Army reform, or national defence; but there is another and a much graver one to be considered. The Prime Minister expresses his astonishment that surprise and humiliation should not be generally felt on both sides of the House owing to the course which has been pursued by the opponents of the Bill. Now, I, for one, am perfectly prepared to justify the course which I have thought it my duty to take with respect to it. It was necessary that the measure should be fairly discussed, and we have only done our duty in discussing it. But if the course which we who are opposed to its provisions have taken be unusual, which I deny—for a similar course has on more than one occasion been adopted by hon. Gentlemen opposite—who are responsible for what has occurred? Is it the House of Commons, or we who sit upon these benches? I say not, but the Government, who bring in a Bill of this kind, which has been supported by majorities dwindling down from 120 to 16. It is the course which has been taken by the Government which is extraordinary, and not that of the opponents of the Bill; for never was so important a measure proposed about which so great a reticence has been observed by a Government, for in this instance we have been absolutely refused by the Government all information on matters of the greatest importance. When, therefore, the Prime Minister tells us that the House of Commons ought to shut its doors as a deliberative Assembly when a Bill is opposed as this measure has been, I would remind him that a House of Commons has never before been treated by a Government as we have been with respect to this Bill. The question which is thus raised is one far graver than any question of Army purchase or reform, for it involves the question whether the House of Commons has not been unworthily treated by the Executive.

Colonel SYKES said, he had heard with surprise and indignation the statement of the right hon. Gentleman (Mr. Disraeli), that hon. Members on the Ministerial side of the House did not believe that the abolition of purchase was the primary object of the Bill. The Opposition dared not divide upon the second reading of the Bill, they therefore tacitly adopted the principle of the Bill, which was the abolition of purchase, and every subsequent division had been upon mere points of detail depending upon the principle. The Secretary of State for War had said it was impossible to proceed with the re-organization of the Army so long as purchase prevailed, and hon. Members on his side of the House had acted and voted under the same impression.

Mr. LIDDELL said, he would remind the House that a few years ago the Government of the day proposed to deal with the extension of the suffrage and the re-distribution of seats by a Bill in two parts; but the House of Commons refused even to discuss a Bill so presented to them, saying—"We will not be entrapped into lowering the franchise till we know what is to be done in the re-distribution of seats." It was now proposed to divide the Bill for the re-organization of the forces of the Crown into two parts. The Government had used the leverage of the popularity of that portion of the Bill referring to purchase for the purpose of recommending their proposals for re-organizing the Army; but they were now going to cast overboard the re-organization clauses, and endeavour to retain a vantage ground gained by them under false pretences. He hoped the House and the country would refuse to accept a Bill in two parts, one part of which had been carried under, at any rate, a misapprehension on the part of the House, because they were led to believe it would be an integral portion, though only a portion, of a comprehensive measure for the re-organization of the Army.

Mr. OSBORNE: Since this Bill has been introduced I have always deprecated any attempt to make so important a question as the reform of the British Army degenerate into a party question. For that reason, though viewing the Bill with some suspicion, and more dislike, I have taken no part in the opposition to the various clauses, because I thought it was wrong to mix up that opposition with any ingredient of party spirit. From the beginning I always foresaw that if the Government once brought in a Bill for the abolition of purchase, purchase was doomed and could not be preserved by any opposition in this House. I have therefore assented to the judgment passed by the House of Commons by large majorities upon that question. Nor am I about to reproach the Government for what they call "lightening" the Bill, however unfortunate I may think the term; on the contrary, this is the only reproach I will make—Early in the Session both my hon. and gallant Friend (Colonel Anson) and I called upon the Government to divide the Bill into two parts, feeling that purchase was assuredly a question quite important enough to be dealt with by itself. What was the answer of the right hon. Gentleman? He said it was impossible to take the course we recommended, and that one part of the Bill was so closely connected with the other that the thing could not be done. Now, I do not mention this so much by way of reproach, as because I think the Government have repented, and I am grateful that they have repented, because the second part of this measure was such a miserable piece of legislation that, instead of attacking the Government for withdrawing it, we ought to present them with a Vote of Thanks for so doing. My noble Friend the Member for Haddingtonshire (Lord Elcho) seems to regard the Government very much as the old poet regarded the female sex. He says of them—

> "Men have many faults; women have but two—
> There's nothing ever right they say; there's nothing right they do."

Well, I think they have done something right, and I hope there is the dawn of a better state of things. The great mistake of the Government all through the Session has been that they have brought forward a mass of ill-digested measures; and when the Opposition is reproached for the course they have taken, they have at least this excuse—that the Government have imposed more work upon the House of Commons and upon themselves than it was possible for any set of men to get through. If I possess any influence with hon. and gallant Officers opposite, I would ask them to remember one thing. The efforts of a great many gallant Colonels in opposing this Bill, originally an unpopular one, have contrived to give the Bill a shade of popularity. My hon. and gallant Friend opposite (Lord Elcho) shakes his head. [Lord Elcho: He is not "gallant."] Well, in all his attacks he leads a forlorn hope, and displays a gallantry which I think is worthy of a better cause. I say that if the Government determine to carry this Purchase Bill through, it is vain for us to oppose it. For my part, I repeat, I am glad the Government have withdrawn the second part of the Bill. It was impossible to carry that part, and the wisest thing the House of Commons can do is to make the purchase provisions as perfect as they can.

Mr. G. BENTINCK said, he agreed with the hon. Member for North Warwickshire (Mr. Newdegate) in thinking that the Government had obtained money from the House under false pretences. One of two things was clear: either the expense consequent upon the Bill had been provided for in the Budget, or there was some afterclap in store, of which the House had heard nothing. At the beginning of the Session a strong apprehension was felt throughout the country — a wise apprehension, he thought, rather than panic—that the national defences were not in a satisfactory condition. The Government tried to remove that apprehension by means of the present Bill. What would be the feeling of the country when they were told that the attempt to re-organize the Army had been abandoned, and that purchase alone was to be abolished? Would such a decision re-assure and satisfy the country? He believed that the country were willing to contribute largely towards the national defences; and, moreover, the Government had pledged themselves to strengthen those defences. Now, however, they had forfeited their pledge, and were merely attempting to remove a sentimental grievance without any practical reason shown for its removal. No attempt had been made by the Government during the present Session to increase the military defences of the country. He had on a former occasion stated that the cost of the Government plan would be something more than £40,000,000, and he asked how could any hon. Member in that House justify his conduct to his constituents in voting that immense sum without having anything to show for it. Upon economical grounds he was determined, as far as the forms of the House would allow, to offer every possible opposition to the measure.

Mr. CARDWELL: I have very little to add to what has already been said; but there are some things I wish to refer to, with the view of removing misapprehensions. We have had a great many nights of debate on this subject, and it really is marvellous what can have been the character of the discussion when hon. Gentlemen know so very little, after the whole of these nights, what has really been in the Bill. The hon. Gentleman who has just sat down (Mr. G. Bentinck) says that we have obtained large sums of money on false pretences—that is to say, that the provision which he approved for the standing Army, the provision which he approved for the Militia, and the provision which he approved for finding guns for the forts which are about to be completed, are worth nothing and are of no use to the country, because they are not contained in the future Bill, entirely ignorant or wholly oblivious that none of these things have ever been in the Bill at all, and have nothing to do with the points of which he speaks. There is a point in the Bill which has been provided for by the Estimates which I hope will not be opposed when the clause comes forward for discussion, and that is, to make the addition to the Militia rather greater than the statutory power enables us now to raise. We have not withdrawn that clause. We hope to meet no opposition to one so reasonable. But if we do, we believe all objections will fall to the ground. Then comes the noble Lord the Member for Haddingtonshire (Lord Elcho.) He does me the honour to pay great attention to anything that falls from me. He has had leisure to condescend to read that with which some very good friends of mine at Oxford and myself solaced ourselves during the interval of the Recess. I cannot undertake to answer for what I said at the Druids' meeting at Oxford, for I assure the noble Lord I do not carry it in my own mind now. But when I am charged with making such statements in this House, that is a more serious matter, and I would recommend it to the noble Lord, whether he writes letters to the Press, or whether he makes speeches in the House of Commons, that he should acquaint himself with the facts before he writes or speaks. Now, he says that when I made a speech on the second reading of this Bill, I expressed myself to the effect that it was intended to render a panic, or the apprehension of a panic, for the future impossible. Now, the noble Lord must excuse me. I stated that when I was introducing the Army Estimates—[Lord ELCHO: I wish to explain.] Excuse me, I am explaining, and explaining the remarkable misapprehensions and misunderstandings of the noble Lord. Sir, I never meant to trouble the House with a *rechauffé* of my own observations. But I have here —because I have been obliged to arm myself with some protection against the kind of discussion which has obtained—the actual statements I made, and I find that I drew the broadest distinction between the great questions which underlie all the details of military administration, and which must be settled by Parliament before any Department can undertake in a complete manner the work of detailed organization and the details themselves. I said, referring to some figures I had quoted, that they were

> "A necessary introduction to the first question which I wish to lay before the House—that is the question of voluntary or compulsory service."

Well, we have had no occasion to go further on that subject, because the House of Commons and the whole country agree with Her Majesty's Government, and do not agree with the noble Lord, on the subject of voluntary and compulsory service. The two subjects which remain—the question of purchase in the Army and the position of Lords Lieutenant of counties in regard to the auxiliary forces, with reference to the relations which ought to subsist between the Regular and auxiliary forces of the country—I described these as the two great principles which must be settled by the House of Commons before any Department of the State could undertake the detailed work of Army reorganization. And what I said on the 16th of February I say again to-night. On the second reading of the Bill I had occasion to speak of organization. I said—

> "What is the object of a Bill? Organization is not a matter for a Bill. Organization is a matter for the Executive Government. It is carried on by Royal Warrant, by regulations sanctioned by the Sovereign, and by various acts of the Executive Government, approved and sanctioned by Parliament when submitted to it in the Estimates. What, then, is the object of a Bill? It is to confer power and to remove obstruction."

I state the same to-night, and I challenge the noble Lord, when again he shall think fit to criticize what I say, whether he does it in writing or in a speech here, to take the trouble to be accurate. Now, we have not withdrawn these clauses. We have done this—We have said the blame of any inconvenience which the delay of this Bill may occasion, either to Parliament, or to the country, or to the Army, shall not lie at our door. We will leave the blame where the blame ought to be left. The noble Lord has told us to-night what he wanted. Towards the close of his speech he told us that purchase was the main principle of the Bill. [Lord ELCHO: No, no!] Yes—for I have here his own words, and therefore it was what in eight nights out of Committee and eight nights in it they have been speaking to. They said they were speaking to the point; but the hon. Gentleman the Chairman of Ways and Means was of a different opinion on that subject. And when the noble Lord refers to our majority thinning and dwindling to 16, I reply that that majority has not dwindled, but has risen. The everlasting speeches of the noble Lord and his coadjutors had wearied out our supporters, and on the night before the holidays our numbers had dwindled to a majority of 16. The Recess revived the spirit of those who were drooping, and now we have a different majority. Sir, the truth is this—Organization is a matter for the Executive Government; and as that Executive

Government, we cannot begin organization until purchase has been abolished, and until the powers of Lords Lieutenant of counties have been transferred to the Crown. There has been no considerable opposition offered to the latter of these two propositions. My predecessor in office, if I mistake not, expressed his entire approval of it in speaking on this Bill. I anticipate no objection to it, and we propose to go on with it. As I have already stated, and I now repeat it, in the judgment of Her Majesty's Government it is essential that the abolition of purchase should be carried into effect without delay. My hon. Friend the Member for Waterford (Mr. Osborne), whose remarks are always caustic, though sometimes agreeably so, has, notwithstanding, to-night encouraged us in the course we propose to take. We intend to pursue that which I stated to be the main and necessary object of the Bill. The other powers which we seek from the Bill are not, in our judgment, unimportant, but they are not absolutely necessary; but even these we have not actually withdrawn. But with the pages and pages of Amendments, we shall not hold them up for the convenience and amusement of the noble Lord, and by so doing place in peril the cardinal principles of the Bill. Those cardinal principles we are determined, by every effort in our power, to carry into effect.

Mr. GATHORNE HARDY: The right hon. Gentleman who has just sat down the Secretary of State for War has for the first time called our attention to what the Government propose to do in order to obtain the assent of the House to the scheme that is now before us. The right hon. Gentleman now announces that it is the intention of the Government to force the measure through the House by a process of threatening. He threatens us that if we will not pass this Bill the Government will, by some means or another, abolish purchase immediately, and thus visit upon the officers of the Army the vengeance they are unable to visit upon this House. This is a course which, it appears to me, is unworthy both of the Government and of those who profess to have the interests of the Army at heart. The right hon. Gentleman also says that the main and primary object of this Army Regulation Bill is the abolition of purchase. On the subject of the transfer of the power of the Lord Lieutenant to the Crown but little can be said; but I object to the right hon. Gentleman stating that the subject of purchase has been discussed in this House solely on the point whether it is right or wrong *per se*. It is not so much the question of the necessity for the abolition of purchase that has been discussed, as whether the method proposed by the Government for abolishing it is the right one. Not alone on this side of the House has discussion originated, for the right hon. Gentleman himself has admitted that many discussions which have arisen upon Amendments which have emanated from his own side of the House have been most useful. [Mr. CARDWELL: One.] It would be very remarkable if only one useful discussion had been held upon this Bill. All that I can say is, that they have had a very remarkable influence outside the House, and that they have occasioned a most extraordinary change in the opinions expressed by the newspapers on this subject. But is this merely a Bill for the abolition of purchase? It is called a Bill for the re-organization of the Army. You have been taking to yourselves the powers of re-organizing the Army, and therefore there ought to be a full opportunity afforded to us of discussing that subject. I say we have a right to know what system you intend to adopt with regard to the Militia and the Volunteers, and also what you intend to substitute for the effective system by which promotion in the Army is at present regulated. I speak from recollection merely; but I believe that the right hon. Gentleman has always told us that by abolishing purchase he is about to do something which will lead to the re-organization of the Army. The right hon. Gentleman has referred to rumours out-of-doors; but we have heard from the best authorities in "another place" that the present system of recruiting is an entire failure, and that it is absolutely necessary that some step should be taken with reference to enlistment, both as regards the Army and the Militia. The part of the Bill which relates to the subject of recruiting is therefore very important, but the right hon. Gentleman does not tell us whether he intends to give it up or not; he merely gives us to understand that the Government will abandon it contingently, and tells us that they do not by any means withdraw it. The sole object that we have in view is to learn from the Government whether their scheme involves a real, permanent, and efficient re-organization of the Army. The right hon. Gentleman, however, instead of giving us any information upon this subject, merely asks us to trust to the Government in the matter. We wish to see a scheme brought forward under which we may hope to have an Army of Reserve; but, unfortunately, the proposal of the right hon. Gentleman appears to offer us nothing beyond an Army in reserve. In withdrawing the clauses at the end of the Bill, the right hon. Gentleman is practically withdrawing the great question of the re-organization of the Army from our consideration, and is attempting to destroy that system which was efficient in providing that class of officers who have been described as the soul of the Army, without proposing to substitute anything in its place. By adopting this course, he is espousing a policy which may prove to be the death-knell of the Army.

COLONEL ANSON said, that having been the first hon. Member who had suggested to the Government the advisability of dividing their Bill, he could not object to their present proposal; but he trusted that the Motion about to be brought forward by the hon. Member for Finsbury would be fully discussed. Whether the withdrawal of the latter part of the Bill would facilitate the passage of its first part would depend upon the conduct of the Government alone. If the Government chose to preserve the reticence they had hitherto shown on the subject of the system of promotion and retirement, he did not think that the opposition to the first part of the measure would be withdrawn. He wished to impress on hon. Members that his great objection to the Bill did not arise out of the amount of money that would be paid to officers for compensation, but to the mode in which this would be done, and he should oppose the Bill in every way, until the method for the abolition of purchase was altered.

MR. BROMLEY-DAVENPORT said, that the universal opinion of the country was, that this Bill was about one of the worst ever introduced to Parliament. He was speaking to an American the other day, who said to him—"The House of Commons is trying to destroy the Army. We have tried this short service in America, and we know it is a nuisance." That was the general opinion throughout the country. The right hon. Gentleman took credit to himself for adding 20,000 men to the Army; but he took away 20,000 good men, and the House spent £2,000,000 to get some equivalent of the 20,000 men back in an inferior form.

MR. MACFIE said, he wished to read a few sentences from the Queen's Speech at the opening of the present Session. It was stated that—

> "The lessons of military experience afforded by the present war have been numerous and important.
>
> "The time appears appropriate for turning such lessons to account by efforts more decisive than heretofore at practical improvement. In attempting this you will not fail to bear in mind the special features in the position of this country so favourable to the freedom and security of the people, and if the changes from a less to a more effective and elastic system of defensive military preparation shall be found to involve, at least for a time, an increase of various charges, your prudence and patriotism will not grudge the cost."

In the latter part of the Speech Her Majesty said—

> "I trust that the powerful interest at present attaching to affairs abroad, and to military questions, will not greatly abate the energy with which you have heretofore applied yourselves to the work of general improvement in our domestic legislation."

There seemed to be in the minds of some hon. Members an idea that the Government were about to retreat from the promises which Her Majesty made to the nation. He did not, and dared not, fear that, being convinced that the Government were aware that the people of this country would not grudge the necessary supplies. He trusted the withdrawal of a part of the Bill would not materially affect their plans. He threw himself upon the faith of the Government.

LORD GARLIES said, he would ask the Secretary of State for War, whether he would state what clauses after the 5th he proposed to retain in the Bill?

MR. CARDWELL not giving any answer,

COLONEL JERVIS said, it was most unfair that the House should be left in the dark on this matter. The explanation made by the Secretary for War could not be allowed to remain in its present position, for he had taken refuge in the statement that what he said about the amalgamation of the various forces was spoken in Committee of Ways and Means, and not on the second reading of the Bill. The right hon. Gentleman, however, said he made that statement with a view to bringing forward a Bill, and that was accepted by the House. It was not until the Bill was printed and was found to be at variance with the speech of the right hon. Gentleman that any opposition was offered to his proposals. The House had discussed the abolition of purchase with a view to the formation of one great defensive force, to be effected by an amalgamation of the Army and the Militia, and they had discussed the question as to how far they could assist in effecting that object; and, now that the Government had withdrawn that portion of their scheme, they were bound to explain, before again going into Committee, what part of the Bill they intended to retain and what portion they would omit.

Mr. CARDWELL said, he had been told that he made a certain statement on the second reading of the Bill. He replied that he made that statement not on the second reading, but when bringing forward the Army Estimates for the year, and the statement referred not exclusively to what was in the Bill, but also to what was provided in the Estimates. He had already stated what clauses the Government considered it essential to retain. They were those relating to purchase and the transfer of power from the Lords Lieutenant of counties to the Crown.

Mr. J. LOWTHER said, he must urge that it would be for the convenience of the House if the Secretary for War would say when he would state in detail what clauses the Government proposed to retain in their Bill. Money was voted on the Estimates to enable the Government to set at rest all questions as to future panic, and it was said that their measure would aim at welding together all the various forces at the disposal of the Crown; but the Government by their Bill, which was to blend the Army "into one harmonious whole," had led those forces and also Parliament into a very deep hole.

Sir JOHN PAKINGTON said, it was desirable to know whether it was the intention of the Government to retain in the Bill those clauses which related to recruiting and short service?

Mr. CARDWELL said, those clauses were intended to carry further the powers that were given to the Government by an Act of last year. So much opposition to them had been indicated by the Notices of Amendment that he did not intend to persevere with that portion of the Bill.

Mr. DISRAELI: Although I think on the whole that the wisest thing the House could do would be to adjourn, I will not press the Motion, because there is other business to occupy our attention. This, however, appears to me to be clearly a case in which the Bill ought to be reprinted. When great alterations are made in a measure of this importance, and especially whenever great ambiguity prevails as to the extent of the omissions, I do not think the Government ought to refuse the desire of many Members that the Bill should be reprinted. We want to have before us some document from which we can understand what is the object of the Government. I am at a loss on that matter, and, after the answer that the Secretary for War has just given to my right hon. Friend, I think it would be the most convenient course, as far as the Members of the House generally are concerned, if the Government did not proceed with the measure to-night, but reprinted the Bill and allowed us to take a general view of their purpose. I am convinced that would be the best mode of proceeding with the business.

Mr. CARDWELL: The right hon. Gentleman has had more important Bills than I have had to deal with, and those Bills have been very materially altered in the course of their progress through this House. I wish to state that the portion of the Bill to which I adhere is that portion relating to the abolition of purchase and the transfer of power from Lords Lieutenant of counties. I shall be very happy to adhere to any part of the Bill from which hon. Gentlemen may be good enough to withdraw their opposition.

Motion, by leave, *withdrawn.*

SIERRA LEONE—MR. MONTAGU.
QUESTION.

Colonel BERESFORD asked the Under Secretary of State for the Colonies, Whether Mr. Montagu, appointed by His Excellency the Administrator of the Government of Sierra Leone to the office of Crown Presentor for that Settlement, vacant by the death of the Queen's Advocate in April last, is the same Mr. Montagu who was removed from the office of Puisne Judge of the Supreme Court of Van Diemen's Land in December 1847, "for obstructing the recovery of a debt due by himself," as reported in Moore's Privy Council Reports, Vol. VI., and in condemnation of whose conduct during his residence in Sierra Leone a numerously signed Petition was presented to the Colonial Office in 1867; and, whether it be the intention of Her Majesty's Government to restore trial by jury in Sierra Leone, of which constitutional privileges the Colonists have been deprived for four years, after enjoying it for a period of nearly seventy years?

MR. KNATCHBULL-HUGESSEN, in reply, said, Mr. Montagu was the same individual who was removed from an office in Van Diemen's Land 24 years ago. He was subsequently transferred by the Duke of Newcastle to be stipendiary magistrate in the Falkland Islands, and afterwards moved to be Registrar of Deeds in Sierra Leone. A Petition was presented to the Colonial Office in 1867, impugning not his official capacity, but his moral character. In such a Colony as Sierra Leone there is very great difficulty in finding fit and proper persons to fill public offices. My noble Friend at the head of the Colonial Office was at much pains to procure the services of Mr. Fyfe as Queen's Advocate, but that gentleman unfortunately died shortly after his acceptance of the appointment. There is no intention of appointing Mr. Montagu as his successor, although it is not proposed to interfere with the discretion of the Governor of the Colony with regard to any acting appointments during the vacancy. With regard to the second Question, trial by jury in civil, but not in criminal, cases was abolished when Lord Carnarvon was at the head of the Colonial Office. That was not done without full and careful consideration. It was found that the system was not suited to the condition of the Colony, and that the verdict was generally settled before the case was heard, by the head man of the tribe from which the jury was taken. It was certainly not the intention of Her Majesty's Government to restore a system which had been condemned by those best qualified to judge of the circumstances of the Colony.

GAME LAWS.—QUESTION.

LORD EUSTACE CECIL, for Sir HENRY SELWIN-IBBETSON, asked, What course the Government intend to pursue with regard to the appointment of a Select Committee on the Game Laws, which stood for that evening?

MR. BRUCE, in reply, said, the Motion he had proposed to make was one which would necessarily occupy a great deal of time, and he was sorry to say that in the present state of Public Business it was quite impossible for him to fix a Government night on which the discussion might conveniently take place. In the meantime, the Session was fast waning. They had already disposed of two Bills relating to the Game Laws, and such was the ardour for legislation on that subject that there were still four remaining. That proved that there was in the House, not merely great earnestness on that question, but also great diversity of opinion; and hence Government had thought that the best way of dealing with the matter was to refer it to a Select Committee to consider the various suggestions before the House. At that period of the Session, however, and especially if the Motion for the appointment of a Select Committee was to be much further postponed, it would be impossible to have an adequate inquiry on the subject, and therefore he proposed to withdraw the Government measure, at the same time undertaking to move for the appointment of a Select Committee on the subject next Session.

ARMY—RECRUITING.—QUESTION.

LORD EUSTACE CECIL wished to know, What course the hon. Member for Finsbury intends to pursue after the announcement of the Secretary for War with regard to the Amendment in the Army Regulation Bill, of which he had given Notice?

MR. W. M. TORRENS said, he had received so many testimonies of the sense entertained of the importance of his Amendment prohibiting enlistment under 20 years of age from persons of great authority connected with the Army, and so many assurances of support from hon. Gentlemen on both sides of the

House, that he should certainly take an opportunity, when it was proposed to omit Clause 6, of calling the attention of the House to the subject, and moving his Amendment as a substantive clause.

ARMY REGULATION BILL—[Bill 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

COMMITTEE. [*Progress 9th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Compensation to officers holding saleable commissions.)

Major General Sir PERCY HERBERT rose to move in page 2, after line 39, the insertion of the following words:—

> "When an officer on the appointed day has not attained to a higher rank than that of subaltern he shall, if he so elect, receive the regulation price of his commissions, if he has paid for them or interest at 3½ per centum until repaid), and where an officer has not purchased his commissions or commission, such sums as he is entitled to according to existing regulations upon retirement."

He had already stated, at the commencement of the discussion, that he would not oppose the Bill if good faith were kept with the officers, and if the scheme of retirement were laid upon the Table. But the Government had declined to publish their scheme of retirement, which was, in his opinion, the most important part of the Bill. Then the Estimate that had been placed on the Table was of the vaguest kind:—it did not show how the sum was to be given, how the sum had been arrived at, and what ranks of the Army were to benefit by it. Now, he thought the Amendment he was moving could not be said to be unreasonable. A Return which was in possession of hon. Members showed the value of the regimental commissions of the officers of each rank in the purchase corps. It appeared from that Return that £800,000 was the value of the commissions of lieutenant colonels; something over £1,000,000 the value of the commissions of majors; about £3,500,000 the value of the commissions of captains; £1,600,000 the value of lieutenants' commissions; and under £600,000, the value of ensigns' commissions—making a total of about £7,600,000. All that he asked as a sort of compromise was, that the subalterns should have their money returned at once, or interest paid upon it. The amount in question was something like £2,000,000. There was a special reason why the subalterns should be treated in some such way as he proposed. The lieutenant who had paid £700 for his commission under the old system had a very good chance of succeeding to the company without purchase. From the Blue Book which contained the Report of the hon. and gallant Gentleman's Committee, it appeared that one-third of the companies on the 1st of January, 1870, and one-half of the majorities and lieutenant colonelcies had gone without purchase. Therefore, there was under the old system one chance in three of the lieutenant obtaining his company, and an even chance of his obtaining his majority and lieutenant colonelcy without purchase. Then he was in this position—if he retired from the service he had the option of doing so either upon half-pay or upon receiving £4,500 for his commission, whether he had purchased or not. But under the proposed system he would be entitled to receive only £700 on retiring. It was obvious that such an officer would not be in as favourable a position as before. He hoped, therefore, his right hon. Friend would not give the stereotyped answer, that this Bill was not intended to put the officers in a better position than before; and he also hoped that the right hon. Gentleman would not let it be thought that he was driving the hardest bargain possible with the officers, as it would most certainly be if he refused to accept this Amendment, in common with all others. It was because by the action of the Bill he would be placed in a worse position, that those who defended the rights of the officers claimed that whatever compensation it was thought right should be given should be paid at once. In conclusion, he begged leave to move the Amendment of which he had given Notice, and must say that no hon. Member on the Conservative side of the House had suggested any Amendment with the like view.

Colonel STUART KNOX said, he had the following Amendment on the Paper, that in line 8 the words from "Provided" to "hereto," in line 12, be left out, and the following be inserted:—

> "All subaltern officers who passed their examinations in the year one thousand eight hundred and seventy, and have received their commissions previous to the passing of this Act, shall at once

receive back the regulation value of their commissions."

As this Amendment was to something of the same effect as the one which had just been moved, he hoped the right hon. Gentleman (Mr. Cardwell) would at the same time promise to consider it, and save the trouble of bringing it forward separately. The amount required to carry out this Amendment would be £38,430, and it would place the officers on one level. He thought the right hon. Gentleman should make some compromise on behalf of the officers to whom his Amendment applied, as it was only just that junior officers should be placed in the same category as the older officers.

CAPTAIN VIVIAN said, he could assure the Committee it was with great regret the Government felt themselves unable to assent to the proposal. The right hon. and gallant Gentleman who made it had assumed two things from the beginning of these discussions—that his right hon. Friend the Secretary for War was desirous of driving the hardest bargain possible with the officers, and of interfering with their professional prospects. Now, as to the first point, he could assure him that the principle upon which the Government had proceeded from the outset in framing the Bill was that of acting with the utmost fairness both to the officers and to the public. They had no interest in driving a hard bargain with the officers; on the contrary, they had endeavoured to advance their interests as much as possible. Well, with regard to the professional prospects of officers, the right hon. and gallant Gentleman had compared the position of an ensign entering the Army in 1870, who had paid £450 for his commission, with that of an ensign who would obtain his commission under the new state of things. That, however, was not a fair comparison. What he should have done was to compare the position of the ensign of 1870, as it would be in the future, with that which it would be if the present Bill had not been introduced. If purchase were not abolished, as was now proposed, the ensign of 1870 would have to put his hand constantly in his pocket in order to obtain his promotion, paying £7,000 by the time he became a lieutenant colonel. Purchase being done away with, however, that ensign would, if professionally he were properly qualified, be in a position to rise as rapidly as heretofore without paying a single farthing. Again, if it were right in principle to pay money, as the right hon. and gallant Gentleman suggested, on what logical ground could its payment to subalterns only be defended. Why should captains, for instance, be excluded from the benefit of his proposal? But the right hon. and gallant Gentleman spoke of his Amendment as a compromise. It must, however, operate either compulsorily on the officers, or its action must be of a voluntary character. Now, if the whole of the officers were compelled to take a less sum than that to which they were justly entitled, the proposal would operate very unfairly in the case of a very large number; while, if the arrangements were voluntary, the bargain would be a very one-sided one. As a matter of course, all those officers who had determined to stay in the Army would take the money which was offered to them; while those who were prepared to leave the service two or three years hence would refuse the option which would be given to them, and would wait until they got the over-regulation price. The result would be that the taxpayer would get the worst of the bargain, inasmuch as every man, being at liberty to do so, would make the best bargain for himself. In regard to the proposition of the hon. and gallant Member for Dungannon (Colonel S. Knox), he had to reply that the officers who purchased in 1870 and later had made their bargain with their eyes open. Parents knew that by waiting a few months they would get the ensigncy for nothing; but, instead of waiting, they wished to pay for it. He hoped the present answer would not be considered a "stereotyped" refusal to accept the Amendments offered; Government could not accept them without violating its duty to the State.

SIR JOHN PAKINGTON said, he thought the remarks of the hon. and gallant Gentleman the Member for Truro (Captain Vivian) furnished another illustration of the inconvenience and unfairness of the reticence observed by the Government with respect to their scheme. The hon. and gallant Gentleman informed the House that, under the new system, purchase being abolished, an officer might pass through all the ranks of his profession as rapidly as before, without being put to any expense whatsoever. Now, he should like to know how that rapidity of promotion was to be obtained, and what security there was that such a result would ever be attained? This, however, was exactly what the Government would not tell them. The Government declined to give any information on the point.

Colonel ANSON said, it was already a recognized custom that if the ensign of a particular corps exchanged for his own convenience, or was transferred for the convenience of the Government to an Indian service corps, the value of his commission was returned to him. Why should not that be done in future in the case now under discussion, and which substantially resembled the instance he had quoted? Then it had been said that it would be hard upon the captains if the subalterns received their money. No doubt that was true; but they had tried their best to obtain the same privilege for the captains, although without success. The further progress they made in the Bill the more he was convinced that a compromise ought to be conceded. He himself had one to propose, in the shape of a clause, which he had great hopes might meet the acceptance of the Government, for a commutation of regulation and over-regulation prices. The hon. and gallant Member for Truro (Captain Vivian) objected that the result would be that only the officers who meant to remain would accept the commutation, and that those who intended to retire would take the Government terms. He was not of that opinion. Officers intending to leave the service this year would, no doubt, accept the terms of the Government; but the great majority of them who had no such intention, and whose future movements were uncertain, would accept the commutation, and thereby waive their choice either of selling out or remaining in the service.

Colonel SYKES said, he must object to the Amendment, that it would block promotion by destroying all motives for retiring.

Mr. G. B. GREGORY said, that if the promotion of officers under the Bill was to be on the same footing as at present, what would become of the principle of selection, and why was the country called on to pay this large sum for the abolition of purchase? He suggested that the Government should state whether they were prepared to admit any, and which, of the Amendments proposed upon this portion of the Bill. He believed that some plan of commutation would be of considerable service to the officers of the Army, and would also insure a considerable saving to the country.

Colonel BARTTELOT said, he had seen no intention on the part of the Government to meet the just demands of the officers. A proposal for a compromise was put forward in a leading article in the leading journal to-day, and these proposals contained nothing detrimental to the plans of the Government. On the contrary, their plans would be facilitated, and the Government would then find the opposition by no means of a "factious" kind. He asked what was to be the position under the Bill of officers of the Canadian Rifles, of the two West India regiments, and the Cape Mounted Rifles, which had been disbanded? The officers of these regiments had been placed on half-pay under the impression that they would be replaced upon full-pay at the first opportunity. But, under the Bill, this most deserving body of officers would have no claim to full-pay. As the Amendment seemed rather invidious, for all should be paid or none, he hoped his right hon. and gallant Friend (Sir Percy Herbert) would not press it to a division.

Major General Sir PERCY HERBERT said, that he was very anxious to hear from the Secretary of State for War a confirmation of the sanguine views expressed by his hon. Colleague the Member for Truro (Captain Vivian), that promotion would be as rapid under the Bill as now. Would the right hon. Gentleman say what was the ground on which that statement was made?

Mr. CARDWELL said, that he had invariably stated, throughout all the discussions on the Bill, that it was intended that a reasonable rapidity of promotion should be maintained—meaning by that, promotion about as rapid as it was now. But who could possibly say, until the experiment had been actually tried, what effect the abolition of purchase would have upon the rate of promotion in the Army, and whether it would be necessary to increase retirement in consequence? In regard to the suggested compromise, he would only say, once for all, that a compromise was only possible when there was somebody qualified to conclude it on the part of the body of men interested, and authorized to express their adherence to it. It would have been a great facility to him if a commutation at once just and acceptable could have been arrived at; but no such proposal had been made, or could be, because no one could show that he had authority to speak in the name of the officers of the British Army.

MAJOR GENERAL SIR PERCY HERBERT said, he would ask whether, in the case of officers employed on the Reserve force, they would be employed on half or on full-pay?

MR. CARDWELL said, he thought, in regard to the number of officers receiving half-pay who might be employed in the auxiliary forces, that it would be presumptuous in him to return a definite answer to the right hon. and gallant Member. It was not in their power even to commence the new order of things that would prevail under the Bill until it had passed the House. It was quite impossible to draw a distinction between the subalterns of 1870 and other subalterns. He stated, in his opening speech, that he had put a stop to first commissions being sold, from the feeling that that was the right step to adopt; but the Horse Guards immediately informed him that it would be great injustice on those who had already lodged their money. He then decided to give them the option, and the result was that in no single case was the money withdrawn; but, on the contrary, there were plenty of other candidates who would have been willing to come forward and lodge their money also.

LORD ELCHO said, he cordially sympathized with the spirit which had led to the proposal of the Amendment, but, for the reasons given by the right hon. Member for Droitwich (Sir John Pakington), he hoped it would not be pressed. From what had fallen from the Financial Secretary of the War Department, it would seem that the Government really knew what the scheme of retirement was to be. He desired, therefore, to ask the right hon. Gentleman in distinct terms whether any such scheme had been drawn up and was now in existence, either in manuscript or print; if so, whether he would produce it? It had been said that eminent men had been engaged in drawing up the scheme; would the right hon. Gentleman say whether that was true or not? Also, whether any scheme for officering the Reserve had been drawn up, and, if so, would the right hon. Gentleman produce it? Lastly, was it intended that the Volunteer force was to be officered to any extent—and, if so, to what extent — by half-pay officers? Upon those points he invited the right hon. Gentleman to give him a simple and straightforward answer.

CAPTAIN VIVIAN said, his right hon. Friend (Mr. Cardwell) had just left the House. The noble Lord the Member for Haddingtonshire (Lord Elcho), as usual, was wishing to know a great deal. He had only to say that his statement that evening respecting the rapidity of promotion in future was only the same thing that his right hon. Friend the Secretary of State for War had distinctly stated both on introducing the Bill and on the second reading of it; and he had also said—what everyone must admit to be true — that whether the present system of retirement would be sufficient to procure the due rapidity of promotion, or whether it would be necessary to supplement it by additional retirement, was a point that could only be decided by experience.

LORD ELCHO said, he must observe that the hon. and gallant Gentleman (Captain Vivian) had really given no answer whatever to the question he had put to him. He wished to know whether Her Majesty's Government had a scheme of retirement and promotion, and, if so, what were the conditions by which the new principle of selection would be regulated; whether any such scheme was actually drawn up in manuscript; and whether a part of that scheme was that officers on half-pay in the Army were to have commands in the Volunteer force, and, if so, what commands?

LORD EUSTACE CECIL said, he thought that the noble Lord the Member for Haddingtonshire (Lord Elcho) had good reason to complain of the reticence of the Government, who had ample data in the average retirements in the non-purchase corps on which they might found a calculation as to the probable number of retirements that would occur in the Regular Army after their scheme came into operation, and as to the probable flow of promotion that would result therefrom.

LORD ELCHO said, that he was sorry to be troublesome, but that as the Government did not think fit to reply to his questions, and as the Prime Minister contented himself with giving utterance to ironical cheers whenever he rose to repeat his question, he begged to move that Progress be reported, in the hope that by taking such a course the Government might be induced to abandon the position which they had taken up on this matter.

Mr. CARDWELL said, he apprehended that the Committee were bound to confine their discussion to the question before them; but when the noble Lord (Lord Elcho) objected to ironical cheering, his conduct reminded him of the lines—

> " Oh ! wad some pow'r the giftie gie us
> To see oursels as ithers see us."

He had already answered the noble Lord's question ten times, and, in fact, if he might be allowed to use such an expression, he had answered it before it had been asked. Nothing could be clearer than that it would be absurd to base the calculations as to the probable number of retirements in the Regular Army under this scheme upon the data afforded by the retirements in the Marines and other non-purchase corps. In the opinion of many eminent persons, however, the retirements under the new system would be as numerous as under the existing one. Unless he were a prophet, he could not answer more of the noble Lord's question.

Lord ELCHO said, no attempt had been made to answer two questions he had put — namely, first, whether the scheme for the proposed selection of officers had been drawn up and would be laid on the Table; and secondly, whether the scheme for the amalgamation of the Reserve and the Regular Army would extend to the Volunteer service, and to what extent it was proposed that the Volunteer force should be officered by officers on half-pay ?

Mr. CARDWELL said, as he stated the other evening, when the Bill was passed the scheme of regulations would be laid on the Table of the House. With regard to Volunteers there would be very considerable changes in the appointment of adjutants of Volunteers.

Lord ELCHO said, he must express himself satisfied with the reply, and that he would withdraw his Motion for reporting Progress.

Motion and Amendment, by leave, *withdrawn.*

Sir TOLLEMACHE SINCLAIR said, he would move an Amendment, to the effect that in case an officer who had joined the Army before the proposed regulations were established, and had intimated to the War Office a wish to sell out, should die before his request to sell was granted by the War Office, his widow and children should be entitled to receive the price of his commission, provided that he would have been allowed to sell out by the custom of the service at the time when he received his commission.

Amendment proposed,

In page 2, line 39, after the word "day," to insert the words "in case any officer who obtained his commission before the regulation was established by which officers are only allowed to sell their commissions provided they live for six weeks after sending in their papers, shall intimate to the War Office his desire to sell his commission at any time prior to his decease, either by letter or telegram, the widow or children of such officer, in case of his death before such request is granted, shall be entitled to receive the regulation price of the commission held by such officer, provided that he would have been allowed to sell by the custom of the service and the regulations in force at the time he received his first commission." — (*Sir Tollemache Sinclair.*)

Mr. CARDWELL said, the Amendment of the hon. Baronet was entirely opposed to the principle of the Bill.

Question put, "That those words be there inserted."

The Committee *divided:* — Ayes 16; Noes 78: Majority 62.

Sir GEORGE JENKINSON rose to propose in page 3, line 21, after "if any," to insert—

> " But no officer shall, under the provisions of this Act, in any case receive more money than he has actually paid for his commission or commissions, either for the regulation or the over regulation price ; and every officer shall forward with his application to retire a statement of the sums paid by him for his commissions, both as to the regulation and the over regulation prices."

The hon. Baronet said, his Amendment was in the nature of a compromise, and if accepted would not entail any extra expense, but rather the reverse, for the over-regulation price would be saved to the country. His proposal would benefit a great number of the poorer officers in the Infantry, men who had families to provide for, and who had borrowed the money to pay for their promotion. It might be said that the officers had not been consulted, and therefore would not accept this compromise. But as it was optional no harm could be done. He had never offered a factious opposition to the Bill, and it was in no factious spirit he made the present proposal. He might observe, in passing, that the statement of his hon. and gallant Friend the Member for Truro (Captain Vivian), to the effect that the promotion of officers would, under the new system, be as rapid as hitherto, struck him as being altogether paradoxical. If, he might add, the compromise which he now suggested were accepted by the Government, the officers might be induced to regard the measure as more just to them, while some of the hardships which it would inflict would be mitigated. By means of such a compromise the hardship of doing away with promotion by seniority, for instance, would be greatly diminished; for it must be borne in mind that if promotion by seniority were abolished and promotion was given only by selection, the condition on which an officer had paid his money would cease to exist. He was not one of those who were of opinion that the Bill was an entirely bad one. Indeed, he believed that for the rich it was a very good Bill, although it certainly was not for the poor man. By a Return which had been presented to that House it was shown that the immediate total payment of all claims for regulation and over-regulation prices would amount to £10,000,000, while according to another the cost of gradual abolition would be £8,000,000. It was, therefore, evident that the Government, in the proposals which they made, were trading to the extent of £2,000,000 on the chances of death among the officers of the Army, a course which he did not think would meet with the approval of the country. He hoped, under all the circumstances of the case, the Government would see their way to accepting some such compromise as that which he proposed.

Mr. CARDWELL said, all these compromises were open to one obvious objection—they would be accepted by everybody to whom they were a gain, and would be rejected by everybody else. The person who suffered, therefore, would necessarily be the taxpayer. The Bill was conceived in a liberal spirit, and dealt very liberally with those who retired. Now, what was purchase but a system of retirement, under which nobody got anything except those who did retire. He was sorry he could not accept the Amendment; but he was not going to compliment away the public money merely to make it appear that he was "reasonable."

Lord EUSTACE CECIL said, he concurred in the object aimed at by the Amendment, it being a small modicum of what the officers were entitled to.

Mr. BOWRING said, he must complain of the practice of not placing on the Notice Paper important Amendments which were proposed. The hon. Baronet (Sir George Jenkinson) had submitted an entirely different scheme from that which was on the Paper.

Sir GEORGE JENKINSON said, the Amendment moved was only a modification of that which had appeared in print. As to the argument of the Secretary for War, it did not follow that a compromise which would suit one man would suit another; and it might suit many officers to take their regulation money and sink the over-regulation money, because they contemplated remaining in the Army for a long time. He should not divide the Committee; but regretted that the Government had given their usual answer, and would listen to no compromise.

Amendment, by leave, *withdrawn.*

Lord EUSTACE CECIL said, the object of the Amendment he would now propose was to remedy a grave defect in the Bill, which did not give adequate compensation to a class of meritorious and poor professional officers, to whom he was sure the House would wish to do justice. The hon. and learned Member for Oxford (Mr. Vernon Harcourt) had been rather severe upon his hon. and gallant Friend the Member for Bewdley (Colonel Anson) and himself for their views respecting the breach of contract, implied as between the State and the officer in this Bill. Now, in saying that when buying a commission an officer bought the right not to be superseded, he did not intend to imply that the officer bought a legal right not to be superseded. There was, however, a professional understanding that the officer had a right not to be superseded except for great misconduct or incompetency. The Bill provided that for every year he served the officer should get £100 for foreign service, and £50 for home. Suppose the case of a major, who, having obtained his commission without purchase, had served, when the Bill passed, 18 years, and whose services for nine years' home service and nine years' foreign service had become worth, according to the Bill, £1,350, he would be in this position: if he remained in the Army for two years longer, and became a lieutenant colonel, and then wished to retire, he would only receive £1,550. Had, however, the Bill not been introduced he would have received £4,500 regulation value, and £2,500 over-regulation, or an aggregate sum of £7,000. The loss of the balance between £1,550 and £7,000 (or £5,450) would be the loss which this officer alone would suffer by the operation of the Bill, and what he (Lord Eustace Cecil) asked was simply common justice—namely, that after 20 years officers should be in the same position as heretofore, and should be allowed the regulation price and over-regulation price of the commissions they now held. He would, therefore, move to insert in line 17, after the word "service," the following words:—

"Officers who have obtained one or more of their commissions without purchase, and who would have been entitled according to the rules of the service to realize the full regulation value of their commissions at the expiration of 20 years' service on full pay, if this Act had not passed, shall at any future time, on retirement after that period of service, receive the regulation and over regulation price of the commissions they now may hold."

Mr. CARDWELL said, "now" was not in the original Amendment, and the word being introduced he thought the Bill already provided for the object the noble Lord had in view.

Lord EUSTACE CECIL said, he thought this was rather doubtful, at least as far as he understood the Bill.

Sir HENRY STORKS concurred with his right hon. Friend the Secretary of State for War in thinking the Bill anticipated the noble Lord's Amendment.

Lord JOHN MANNERS said, he thought it would be safer to adopt the Amendment, and then if the words were found to be surplusage they could afterwards be omitted.

Mr. CARDWELL said, that what they intended was that an officer who had not served out his time should have an opportunity of completing his service, so as to get the value of his commission. If, however, he should have served so long as to be entitled to more than that amount, then he would have that extra sum. He would undertake that the clause should be re-considered in that view, and the necessary Amendment, if it proved that any was required, should be made.

Amendment *withdrawn.*

An Amendment *moved,* in line 19, to omit all words after "price."—(*Colonel Anson.*)

After short discussion, Amendment *withdrawn.*

An Amendment made, by inserting after "price," the words "or any part thereof."

Sir WILLIAM RUSSELL said, the terms of retirement had been arranged, but the case of those who had made the Army their profession, and who wished to continue in it, deserved consideration. Were they to be forced out of the service in order to realize the value of their commissions? He asked that officers who wished to remain in the service should be at liberty to elect to take the same composition as was laid down in the Government Return — namely, the estimated price of their commission, less 30 per cent. With this view he would propose a proviso that every officer holding a saleable commission should have the option of applying to the Commissioners to pay him a fixed composition, in full satisfaction of all claims which such officer could have made on his retirement, and providing also that the Commissioners should draw up and issue a scale settling the amount of such fixed composition applicable to each rank, less such reductions as would be caused by taking into consideration the probable number of officers who would lose the value of their commissions in each rank respectively, either by death or by becoming general officers, and further by a reduction of 3½ per cent in consideration of making immediate payment.

Amendment proposed,

At the end of the Clause, to add the words "Provided nevertheless, That every officer holding on the said appointed day a saleable commission in Her Majesty's Army shall have the option of applying to the Commissioners to pay him a fixed composition in full satisfaction of all claims which such officer could have made on his retirement from the service for the estimated price at which the commission held by him on the said appointed day would have been saleable if this Act had not passed; and the Commissioners shall for this purpose, immediately on the passing of this Act, draw up and issue a scale settling the amount of such fixed composition applicable to commissions in each rank. The amount of such fixed composition shall be the average estimated present price of commissions in each rank, less such deduction as would be equal to the diminution in such average estimated price which would be produced by taking into consideration the probable number of officers (calculated on the average of the ten years then last past) who would lose the value of their commissions in each rank respectively, either by death or by becoming general officers and subsequently attaining the age of sixty years; and further by the deduction of discount at three and a-half per centum in consideration of immediate payment."—(*Sir William Russell.*)

MR. CARDWELL said, this was only another form of the same proposal which had been made over and over again. As he had repeatedly said, purchase was a system of retirement. Even the strongest opponents of the Bill admitted that the arrangements made towards those who retired were very liberal indeed. They complained, however, that the Bill did not treat liberally those who remained in the service. Well, but the purchase system gave nothing to those who remained in the service. If, therefore, while indemnifying those who would have received anything under the purchase system, the Bill paid money down to those who remained in the service, it would do something more than the purchase system did. Now, the Government were not prepared to throw upon the taxpayers of the country more than had been thrown upon them already.

SIR WILLIAM RUSSELL said, he would remind the right hon. Gentleman the Secretary of State for War that the Amendment did not propose to increase the charge to the country by a single farthing. On the contrary, it would probably reduce that charge by £1,000,000.

COLONEL BARTTELOT said, it was clear, from the statement of the right hon. Gentleman the Secretary for War, that there was not the slightest hope of any concession from the Government. He asked the right hon. Gentleman at the head of the Government, whether it would not be wise as regarded his own dignity and position, and as regarded the House of Commons, the country, and the well-being of the Army, to make this concession, which would find favour both with the taxpayers and with the officers of the Army? In a late division the majority upon an Amendment of the hon. and gallant Member for Norwich (Sir William Russell) was only 16, and that close division showed that it was the wish of the Committee to come to a compromise.

MR. GLADSTONE begged, in answer to the complaint that the Government made no concession to those who advocated the claims of the officers of the Army, the House to consider the principle on which the Bill was framed. The principle was, in the first place, to give to the officers that to which they were equitably and legally entitled; and, in the second place, wherever a doubt existed as to the amount they could properly claim, to rule that doubt in their favour. Now, however, hon. Members asked for a compromise, the effect of which compromise was to be to give to the officer that to which he was not entitled at all. This provoked him to quote Mr. Mill, who had not long since been quoted against him. The hon. and gallant Member for Bewdley (Colonel Anson) would recollect that when, in 1866, the Government of the day proposed what many thought an inadequate measure, when they had reduced and clipped down a third of their measure for the sake of obviating opposition, they were then after all asked for a compromise. Mr. Mill, on that occasion, said that the Government having cut the apple into halves and presented half to their opponents, they were then asked to cut it again and give them another quarter. The Amendment of his hon. and gallant Friend the Member for Norwich (Sir William Russell) asked for officers a compensation to which under no circumstances could they be entitled. He asked, in fact, for a new endowment. He forgot what a boon the Bill gave to officers who intended to remain in the Army. It gave them the boon of advancing step by step without purchase. As representing the interests of the people, Government could not give the officers any more. They gave the officers a full equivalent for purchase, but they could not consent to give them a new endowment. It was impossible for the Government to accede to the proposal if, in their attempt to do justice to the Army, they were to recollect the duty they owed to the nation at large.

Mr. DICKINSON remarked that the Government scheme involved, besides the simple question of compensation to the officers, the reform of a vicious system, and it was unjust to make the officers pay for that reform. The system had been introduced into the Army by the Government of the country, and the money that the officers had paid under it ought to be returned to them. The scheme of the Government was unfair, inasmuch as it placed the purchase officers upon the same footing as the non-purchase officers. The just way to treat the purchase officers was to return them the money they had paid, and to give them the equivalent value of their prospects under the existing system.

Viscount BURY said, he thought it was not fair to the officers, who were an ornament to their profession, to offer them such bad terms that they would be forced to leave the service. That was a false economy, and its object was to make the scheme of the Government appear to the country as little costly as possible.

Colonel ANSON said, the expenditure proposed by the Government was £7,955,000; the present value of the officers' commissions being £6,821,000. That calculation was based on a limitation clause, which limitation clause having been withdrawn, he wished to point out that a new consideration came into play with regard to the expenditure proposed by the Government—namely, that unless the Secretary of State for War inspired the officers of the Army with confidence in his sense of justice, and confidence in his future proposals with regard to the Army, there would be a panic, a rush to sell, a general disorganization, and a very large increase of the expenditure proposed by the Bill. The Bill did not inspire the officers with confidence. The Secretary of State for War refused to accept even verbal Amendments of the Bill. The officers knew that the Bill was based on injustice. It would compel the poorer class of officers to serve on. He thought the scheme of his hon. and gallant Friend (Sir William Russell) was a fair one. He (Colonel Anson) had proposed a scheme of commutation, and if every officer in the Army would accept that proposal of commutation——

The CHAIRMAN said, it was not competent for the hon. and gallant Gentleman the Member for Bewdley to discuss a scheme which he intended to propose hereafter.

Colonel ANSON said, his only object in alluding to that scheme was to save time. He would simply state that if this scheme of his hon. and gallant Friend (Sir William Russell) was carried, it would effect a saving of £1,000,000 to the country. The Committee was told that the purchase system was immoral. Was it not a fact, notwithstanding this immorality, that Her Majesty's Government, who were so anxious to do away with the system, were yet so enamoured of the advantages that the country derived from it, that they were going to retain those advantages as long as they possibly could, and that by refusing commutation of any sort or kind they were to a certain extent relieving themselves from the necessity of going into the question of retirement. If that were so, then it was one of the most immoral transactions ever committed by a Government in this country. The right hon. Gentleman the Secretary of State for War had tried to delude the Committee into the belief that in future the retirement would be very much the same as at present; but if that were so, there was no reason whatever why he should try to carry on a purchase system for the next 26 years. He hoped his hon. and gallant Friend would not take the sense of the Committee on the Amendment to-night, but allow time for understanding what it meant, and whether the Committee would be effecting a saving or not by accepting it. He should, therefore, move that the Chairman do report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Colonel Anson,*) —put, and *negatived.*

Question again proposed, "That those words be there added."

Lord GARLIES said, the right hon. Gentleman the Secretary for War objected to the Amendment on the ground that it would entail additional expense on the British taxpayer. But his hon. and gallant Friend the Member for Norwich (Sir William Russell), on the contrary, showed that there would be a saving of £1,000,000 by it. What was the line taken by the Prime Minister? That right hon. Gentleman said that the effect of the Amendment would be to give the British officer that to which he was not entitled. But if there would be an actual saving to the taxpayer, and if, at the same time, a boon would be conferred on the officer, it seemed most extraordinary that Her Majesty's Government could not be brought to see not only the justice but the wisdom of coming to such a compromise as the one now proposed.

Question put.

The Committee *divided*:—Ayes 139; Noes 222: Majority 83.

Mr. PERCY WYNDHAM moved that the Chairman report Progress. He did so, he said, on the ground that the present Bill was not that which had passed a second reading. Not to mince the matter, the House had been brought to the present stage of the measure under false pretences. As to the opposition which had been offered to the Bill, it was quite clear that no class could have the power of sustaining it were there not something deeper than mere class interests in the background. The truth, he believed, was that the Bill was not acceptable to the majority of the House, and would be found, after time was given for reflection, to be as little acceptable to the country. There were, no doubt, hon. Members of the House—such, for instance, as the right hon. Member for Birmingham (Mr. Bright)—so adverse to a standing Army that they would not object to have our present military system pulled down, without knowing by what it was to be replaced. That was a view which was at all events clear and intelligible, which was more than could be said of the Government scheme throughout. The proposal of the Government was an attempt to break up the existing state of things without giving the country anything in its stead.

Motion, by leave, *withdrawn.*

On Question, That Clause 3, as amended, stand part of the Bill?

Lord ELCHO said, he had opposed this clause compensating the officers because he thought it was unjust to officers who remained in the Army. It had been described as just and generous. He could not, however, understand how justice and generosity could go together. Where there was justice there could be no room for generosity.

Mr. CARDWELL said, the noble Lord (Lord Elcho) had added a new canon to our moral code. It was impossible, he said, that the same law could be both just and generous. It followed, therefore, that justice must always be ungenerous, and generosity must always be unjust.

Clause *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

ECCLESIASTICAL TITLES ACT REPEAL (*re-committed*) BILL—[Bill 164.]

(*Mr. Attorney General, Mr. Gladstone, Mr. Solicitor General.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. NEWDEGATE said, that on a former occasion, and even at a later hour of the night than that, he had endeavoured to induce the House, before it proceeded further with the Bill, to pause and to inquire; and he then stated the reasons why he was opposed to the measure. That question had now been in agitation—as everything connected with the Roman Catholic Church in that country and in Ireland always was—for the last four years. A Committee was appointed by the House in the year 1867 to consider the whole subject-matter of that Bill; and that Committee reported in favour of the abolition of the Ecclesiastical Titles Act of 1851 by a majority of 1 only. In the next Session of Parliament the House of Lords appointed a Committee, and they went more fully into the subject, and reported directly against the repeal of the Act of 1851. Again, the question was mooted in the last Session; but the Bill, after passing through that House, was lost in the House of Lords. The House of Lords, in fact, adhered to the Report of their Committee. Now, what he wished the House to consider was this—They had it announced to the world, that a great change had taken place in the constitution and in the probable action of the Papacy, as regarded the whole of the Roman Catholic Church, and with reference also to the relations of the Roman Catholic community towards their fellow-subjects of other denominations.

On a previous occasion, he had asked the House to appoint a Select Committee to inquire into the probable consequences of that great change which had been effected by the Council which sat at Rome last year. It was the pleasure of a very thin House, however, to reject that proposal; but the House decided—that was to say, the Government decided—that they would send the Bill itself to a Select Committee. There was very great difficulty in getting hon. Members who agreed with the House of Lords in adhering to the policy of this country, confirmed in 1851, with respect to the *status* of the Roman Catholic hierarchy in this country, to serve on that Committee. He himself declined to serve on it, because the principle of the Bill was a principle to which he objected. Other hon. Members refused to serve, because they did not wish to be closeted in a Select Committee for the purpose of formulating, gilding, or commending a principle to which they were opposed; and the consequence was, that upon that Select Committee there was a great preponderance of hon. Members who were favourable to the repeal of this statute. No practical difference had been made by the labours of that Committee save this—that in the Bill which was before the House previous to the appointment of the Select Committee, the declaration that the assumption of territorial titles by the Roman Catholic hierarchy, or other ecclesiastics, not sanctioned by the Crown, should be void in law, was set forth far more distinctly than it was in the Bill now on the Table of the House. Well, that was no small matter; because, what was the purport of the Bill? It was this—that, although the Bill forbade the assumption of jurisdiction in the sense of a right to revive the obligation on the temporal Courts of the country to enforce the decrees of the Roman Catholic hierarchy representing the Pope, still it would permit the assumption of those territorial titles by the Roman Catholic hierarchy, which are inseparably connected, according to the decisions of several Popes, and especially of the present Pope, with territorial jurisdiction and power over the temporal goods, as well as the spiritual interests of the whole Roman Catholic community; and by the decisions of the recent Council obedience in these matters had become a matter of faith. Now, it was no trifling measure that they were asked to pass. They were asked to sanction, indirectly, at all events, by the removal of prohibitions, the whole jurisdiction of the Papacy over the property, and over the actions, social, and political, of every Roman Catholic, which the Pope had declared it to be his right to exercise, and which he had enjoined, as a matter of faith. Thus they were asked to carry out the object of the Brief of 1850, which Cardinal Wiseman, in a lecture which he delivered in 1851, and a copy of which he had there, stated to be this—to organize the whole of the adherents of the Roman Catholic Church in that country as a separate and distinct community; and he assigned as a reason for the Brief of 1850, constituting the hierarchy with territorial titles, that according to the Roman Canon Law the Bishops, previous to the issue of that Brief, could not assemble in synod, and therefore had not, according to that Canon law, which was now to be a matter of faith with every Roman Catholic, the power of organizing the Roman Catholic community, as separate and distinct from all other religionists—as separate and distinct from their fellow-subjects in this country. He would beg the House to remember that that was no new notion, and no new idea, with the Papacy. It had ever been the object of the Papacy to obtain those territorial titles; not from a mere antiquarian fancy, but as symbols at once of the dependence of the hierarchy upon the Pope, and of the power of the Pope, through them, over matters temporal within the United Kingdom. If the House would permit him, he could not illustrate that better than by reading a few lines from Milton's great Epic poem—and Milton, the House would bear in mind, was secretary to Cromwell, and the writer of the correspondence with foreign powers, the object of which was to stay the persecution of the Vaudois. Not long afterwards he wrote these lines—

> "Then shall they seek to avail themselves of names,
> Places and titles, and with these to join
> Secular power; though feigning still to act
> By spiritual, to themselves appropriating
> The Spirit of God, promised alike, and given
> To all believers; and from that pretence,
> Spiritual laws by carnal powers shall force
> On every conscience."

He (Mr. Newdegate) knew that hon. Members who were imbued with the idea that they could establish religious equality by merely declaring their own adhesion to the principle, would turn their eyes away from the dangers and difficulties which might ensue, if the Legislature of England withdrew its prohibition against the exercise of that power. They had had that, as applied to matters temporal, considered by previous Houses of Commons. In the year 1844, as touching the property, the charitable property, the property for the religious uses of Roman Catholics in Ireland, after a Committee of that House had investigated the subject, the Legislature deliberately decided that it would appoint a Commission, which should virtually act as trustee, and hold all this property for religious uses in Ireland. And what proved the wisdom of that decision? Why, that a Petition was presented after the passing of the Act, signed by a considerable number of the Roman Catholic hierarchy and many of the priesthood, but none of the laity, condemning the statute of 1844, and for this reason—that it directly intercepted the action of the Canon law, through the hierarchy, in the disposition of this property, and because it was at variance with the Roman Catholic system, whereby the dying were enjoined to commute their sins in this world by gifts of property to the Church. That Petition he had quoted to the House three years ago, as illustrating the objects of the Papacy, which the Bequests Act intercepted, and was condemned for intercepting by the Roman Catholic hierarchy. He knew that Her Majesty's Government had some reasons for their confidence, that hon. Members of that House had not studied the subject; and that, therefore, they would give a blind and an implicit support to the Government in the promotion of that Bill. But there was another reason alleged, besides the desire to gratify the Roman Catholic hierarchy throughout the United Kingdom, and it was this—It was said that, in the Irish Church Act of 1869, there was an omission or oversight, in consequence of which, if the successors of the present Bishops of the disestablished Church in Ireland should assume the titles of their predecessors, every one of those titles having been granted by the Crown, they would be liable to prosecution under the Ecclesiastical Titles Act of 1851 for having assumed those titles The fact was, that in the Ecclesiastical Titles Act of 1851 a clause was inserted, which relieved from the penalties of that Act the Bishops of the Episcopal Church in Scotland. When that subject was before the House on the second reading, he (Mr. Newdegate) had suggested that, unless it was the object of the majority of the House to establish the jurisdiction of the Roman Catholic hierarchy, and of the Papacy in a manner which he would afterwards describe; if the only object were to relieve from the possibility of prosecution the Bishops of the disestablished Church, they needed but a Bill of one clause, which should include, under the exemption contained in the 3rd clause of the Ecclesiastical Titles Act of 1851, the Bishops of the disestablished Church in Ireland, together with the Bishops of the Episcopal Church in Scotland. When speaking on that occasion, he had stated that the present First Lord of the Treasury had, in 1851, suggested that that provision should then be introduced into the Ecclesiastical Titles Act, and the right hon. Gentleman contradicted him. He had since had an opportunity of referring to *Hansard's Debates*, and, with the right hon. Gentleman's permission, he would show him that although he (Mr. Gladstone) did not himself undertake to extend the terms of the 3rd clause of the Ecclesiastical Titles Act, so as to include other Bishops of voluntary Churches, besides the Bishops of the Scottish Episcopal Church, he had blamed the Government of that day for not having introduced such a provision. He (Mr. Newdegate) had found in *Hansard* that Lord Arundel and Surrey had raised the question, and complained that whereas—

> "It was true that the Bishops in Scotland were appointed by a native power, while the Catholic Prelates derived their authority from a foreigner, yet as the statute law of the country now permitted Catholics to acknowledge a foreigner as the head of their Church, it was absurd to legislate for them on a different principle from that applied to other Churches."—[3 *Hansard*, cxvii., 1024-5-6.]

Sir George Grey, who was then Home Secretary, remarked—

> "That the Scotch Bishops stood upon a totally different footing, inasmuch as they did not hold their office from the appointment of a foreign Power. There was nothing in this clause, however, which gave them a right to assume these

titles. The right had been denied by the Court of Session in Scotland, and this clause left them just as they were before."

Mr. Gladstone said—

> "He agreed with the right hon. Baronet that there was a distinction between Bishops holding office by foreign authority and those who did not so hold it. But the question which he wished to put to Her Majesty's Government was of a different description. He wanted to know why this clause was not to extend to other Bishops who might choose to hold territorial titles, but might not hold them under the authority of a foreign Power. Perhaps the answer would be, that there were no such Bishops."

The right hon. Gentleman himself had since provided not only that there should be, but that there were, and he might have said there would be such Bishops. He went on to say—

> "There were some persons in Scotland professing to be Episcopalians, who were dissatisfied with the arrangements of the Scotch Bishops, and who had taken steps to obtain the appointment of a Bishop of their own. Why should they be prevented from doing this? Then, why should not the Wesleyans, if they chose, call their superintendents of circuits Bishops with territorial titles? If they were going to lay down this restrictive law, they ought to tell them why they did it. He, himself, with the views that he entertained with regard to this Bill, certainly would not undertake the responsibility of attempting to amend it; but he thought Her Majesty's Government on their own principles — not on his principles, because that would not satisfy him with the Bill—but on their own principles, they ought not to make the assumption of titles unlawful, except they were derived from a foreign authority."

The Chairman was putting the clause, when Mr. Gladstone said, "He hoped there would be some answer to the question." Sir George Grey said—

> "The right hon. Gentleman asked why this clause should not extend to the Wesleyans. His answer was, that the Wesleyans, as a body, supported this Bill. They did not ask for any indulgence of the kind, and that their cause was an imaginary one, put forward by the right hon. Gentleman. The Government had dealt with the bodies of religionists they found in existence, and had not found themselves bound to provide against suppositious cases. It was only within the last few years, that the Scotch Bishops had partly assumed these titles; he said partly, because in legal documents they did not assume them. Those titles were not legal. At the same time, it was totally unnecessary to subject the Bishops who assumed them to penalties."

Mr. Gladstone said—

> "It was perfectly true the Wesleyans had no Bishops, and he did not point out the discrepancy as an immediate evil to anybody; but they were introducing a restriction against civil and religious liberty without giving the slightest reason for it. He wanted to know why these persons who had just as much right as any Scotch Bishops, to assume titles, were to be precluded from so doing?"

He (Mr. Newdegate) would ask the right hon. Gentleman now, seeing that he thus insisted upon the duty of the Government to include other Bishops, or those who might wish to be Bishops, under that clause, why he had not performed the duty which he enjoined upon the Government of 1851, and simply introduced a Bill, including under the same category, and the same provisions, the Bishops of the disestablished Church of Ireland with the Bishops of the Episcopal Church in Scotland? There was another reason—there must be some other reason for this Bill, besides the difficulty in the Irish Church; and it was this—that the right hon. Gentleman at the Head of the Government had determined to promote the assumption of territorial titles by the Roman Catholic hierarchy in Ireland; and he would say, that that was the first step towards the establishment of the Roman Catholic Church in Ireland, because they were taking it without reference to the organization already provided in Ireland for the administration, to use a technical term, of the temporal accidents which were incident to religious life in the case of Roman Catholics, and because they were sanctioning in the minds of the Roman Catholic hierarchy the idea that they had a right to control the property of their co-religionists, devoted to religious purposes, which he could show the House they could do through contract. For what was the reason adduced to account for the difficulty, said to have been created by the Ecclesiastical Titles Act of 1851, jointly with the operation of the Irish Church Act of 1869, in the case of the successors to the present Bishops of the disestablished Church in Ireland? It was this, that unless they were permitted to assume the titles of their sees, they could not enter into contracts in virtue of the office that they held; and he argued from that, that the intention of the Bill before the House was to arm the Roman Catholic Prelates with a like power of dealing through contract, with the property devoted to religious purposes in Ireland, exactly on the terms in which they wished to validate the action of the successors to the Bishops of the Roman Catholic Church. If he was wrong in that supposition, all he could say was, that he had taken good advice upon it—advice which he doubted any lawyer could defeat. He would say again, that the meaning of that Bill was to contravene the intention of the Legislature in 1844 and 1851; that it invalidated the safeguards which those measures contained against the exercise of a temporal jurisdiction by the Roman Catholic hierarchy; inasmuch as that, although they closed the Courts against them by process of Common Law, they opened the Courts to their jurisdiction through contract by process of equity. He would ask the House whether that was the time, when, before that country or any other had had full experience of the altered constitution of the Papal Church — for it was now a strictly Papal Church—you should proceed to break up a settlement, which had at once guarded the peace of the country, and, he spoke it advisedly, the liberties of the laity of the Roman Catholic persuasion. There had been a good deal of controversy upon that question, and he held in his hand a copy of an able letter from the pen of Dr. Döllinger. No one could say that Dr. Döllinger was a mean authority upon the operation to be expected from the decisions of the recent Council at Rome. He reviewed them throughout, and he would beg the House to allow him to read to them the concluding passages of that eminent man's wise letter on the subject. Dr. Döllinger said—

> "He who wishes to measure the immense range of these Resolutions [of the Council] may be urgently recommended to compare thoroughly the third chapter of the decrees in Council with the fourth; and to realize for himself what a system of universal government and spiritual dictation stands here before us. It is the plenary power over the whole Church, as over each separate member, such as the Popes have claimed for themselves since Gregory VII., such as is pronounced in the numerous Bulls since the Bull *Unam Sanctum,* which is from henceforth to be believed and acknowledged in his life by every Catholic. This power is boundless, incalculable; it can, as Innocent III. said, 'strike at sin everywhere;' can punish every man; allows of no appeal; is sovereign and arbitrary, for, according to Bonifacius VIII., 'the Pope carries all rights in the shrine of his bosom.' [That is, the Pope is made supreme over all Canon law and universally absolute.] As he has now become infallible, he can in one moment, with the one little word *orbi;* [that is, that he addresses himself to the whole Church] make every thesis, every doctrine, every demand an unerring and irrefragable article of faith. Against him there can be maintained no right, no personal or corporate freedom; or, as the Canonists say, the tribunal of God and that of the Pope are one and the same. This system bears its Romish origin on its forehead, and will never be able to penetrate in Germanic countries. As a Christian, as a theologian, as an historian, as a citizen, I cannot accept this doctrine. Not as a Christian, for it is irreconcilable with the spirit of the Gospel, and with the plain words of Christ and of the Apostles; it purposes just that establishment of the kingdom of this world, which Christ rejected; it claims that rule over all communions which Peter forbids to all and to himself. Not as a theologian, for the whole true tradition of the Church is in irreconcilable opposition to it. Not as an historian can I accept it, for as such I know, that the persistent endeavour to realize this theory of a kingdom of the world has cost Europe rivers of blood, has confounded and degraded whole countries, has shaken the beautiful organic architecture of the elder Church, and has begotten, fed, and sustained the worst abuses in the Church. Finally, as a citizen, I must put it away from me, because, by its claims on the submission of States and Monarchs, and of the whole political order under the Papal power, and by the exceptional position which it claims for the clergy, it lays the foundation of endless ruinous disputes between State and Church, between clergy and laity; for I cannot conceal from myself, that this doctrine, the results of which were the ruin of the old German kingdom, would, if governing the Catholic part of the German nation, at once lay the seed of incurable decay in the new kingdom which has just been built up."

Hon. Members should consider that the Empire of Germany is similar to that of the United Kingdom. The numerical population of Protestants and Roman Catholics were much the same; and if Dr. Döllinger, who was acknowledged to be one of the highest authorities on the subject to which he referred, saw reason to warn his country against the danger that was threatened by the despotic innovations carried out by the Jesuits; if he felt that danger to be so great, why should that House, which was only last week engaged in passing a measure to deprive Irishmen of their liberties on account of the disturbances in that country; why should that country be indifferent to the prospect of disturbances similar to those which Dr. Döllinger declared were now threatening Germany? Was there anything in the aspect of the world; was there anything in the opinion of those who were competent to form an opinion which could commend to them the innovation they were now asked to make upon the settled policy of this country for centuries; and for what purpose? They thought to do a complaisance to the Roman Catholic hierarchy. They thought of gratifying a mere fancy of the Pope. He would tell them, on the authority of those who, like Dr. Döllinger, had studied the subject, that they were striking at the principle which, by guarding the independence of this country, had enabled them to preserve to their Roman Catholic fellow-subjects the opportunity, and he trusted the capacity for freedom, which their co-religionists did not enjoy in other countries. He thanked the House for having allowed him thus briefly to state the objections which had weighed with statesmen now gone to their rest, which prevailed last Session in the House of Lords, and he hoped would not be thrust aside in that House as a matter unworthy of its attention. He begged to move that this House will, upon this day six months, resolve itself into the said Committee.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee," — (*Mr. Newdegate,*) — instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. M'LAREN, on the part of the people of Scotland, objected to the Bill. He thought it was an intolerable thing that in every large town in Scotland they should have two Bishops — one Bishop of the Episcopalian Church, which was not recognized by the law, and one Bishop of the Roman Catholic Church. The people of Scotland held that every minister was a Bishop in the New Testament sense of the word, and they objected to a man being set on a pedestal as if he were above others. The existing law, he thought, ought not to be altered.

Dr. BALL said, the Bill did not make any alteration in the law except with regard to the power of enforcing penalties. He had always thought it was a very undignified proceeding to assert a great constitutional principle by the action of common informers.

Question put.

The House *divided:*—Ayes 176; Noes 91: Majority 85.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Mr. Newdegate

Bill *considered* in Committee.

(In the Committee.)

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Charley.*)

The Committee *divided:* — Ayes 66; Noes 168: Majority 102.

Preamble.

Mr. CHARLEY said, that the Bill had been proposed solely in the interests of Ireland, and he contended that in Ireland there was no conflict of jurisdiction, as there was no State Church; but, in regard to England, there was such conflict of jurisdiction, and therefore he proposed that the recital should be amended so as to apply the Act only to Ireland.

The ATTORNEY GENERAL repeated the arguments so frequently urged in favour of the repeal of the Ecclesiastical Titles Act, and pointed out that it was wholly unnecessary also to repeal the 24th section of the Catholic Emancipation Act. That section, he again stated, was not applicable to Ireland.

Dr. BALL concurred in the opinion expressed by the last speaker.

Mr. T. CHAMBERS said, he saw no reason for repealing the Act. This was a Bill to establish the Roman Catholic hierarchy in Ireland, and to enable them to take territorial titles.

Mr. BERESFORD HOPE said, he accepted the speech of the hon. and learned Gentleman the Member for Marylebone as a specimen of peculiar Liberalism. The Act was the offspring of panic and of political trickery, and he trusted that it would be swept from the Statute Book.

Mr. GLADSTONE said, the speech of the hon. and learned Gentleman the Member for Marylebone involved the principle of religious liberty. He was himself one of the strongest opponents of the original enactment. The Act was not and could not be enforced, and was a mockery and a pretence.

Mr. NEWDEGATE contended that the Bill was operative, and asked why, if it was not, there was all this agitation to repeal it?

Preamble *postponed.*

Mr. CHARLEY moved the addition of a new clause confining the Bill to Ireland.

New Clause (Application of Act,)—*brought up*, and read the first time.

Motion made, and Question put, "That the Clause be read a second time."

The Committee *divided:* — Ayes 45; Noes 124: Majority 79.

Bill *reported;* as amended, to be considered *To-morrow*, at Two of the clock.

DEAN FOREST AND HUNDRED OF ST. BRIAVELS BILL.

On Motion of Mr. BAXTER, Bill to make further provision respecting the opening and working of Mines and Quarries in Her Majesty's Forest of Dean and in the Hundred of St. Briavels, in the county of Gloucester; and for other purposes connected therewith, *ordered* to be brought in by Mr. BAXTER and Mr. WILLIAM HENRY GLADSTONE.

Bill *presented*, and read the first time. [Bill 190.]

SEWAGE UTILISATION SUPPLEMENTAL BILL.

On Motion of Mr. WINTERBOTHAM, Bill to confirm certain Provisional Orders under the Sewage Utilisation Acts, relating to the districts of Gainford, Hillmorton, and Hurworth, *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

Bill *presented*, and read the first time. [Bill 186.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 4) BILL.

On Motion of Mr. WINTERBOTHAM, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Acton, Altrincham, Bognor, Bolton (Lancashire), Harrogate (two), Henley on Thames, Kingston upon Hull, Litchurch, Malvern, Nelson, Over Darwen, Pensarn, Prescot, Ramsgate, Redcar, Saint Leonards, Stamford, Tottenham, Ware, Widnes, and Wimbledon; and for other purposes relative to the district of Stamford, under the said Act, *ordered* to be brought in by Mr. WINTERBOTHAM and Mr. Secretary BRUCE.

Bill *presented*, and read the first time. [Bill 187.]

INDUSTRIAL AND PROVIDENT SOCIETIES AMENDMENT BILL.

On Motion of Mr. THOMAS HUGHES, Bill for the consolidation and amendment of the Law relating to Industrial and Provident Societies, *ordered* to be brought in by Mr. THOMAS HUGHES, Mr. MORRISON, Sir CHARLES ADDERLEY, Mr. THOMAS BRASSEY, and Mr. WILLIAM HENRY SMITH.

Bill *presented*, and read the first time. [Bill 188.]

PUBLIC HEALTH (SCOTLAND) SUPPLEMENTAL BILL.

On Motion of The LORD ADVOCATE, Bill to confirm a Provisional Order under "The Public Health (Scotland) Act, 1867," relating to the Burgh of Crieff, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary BRUCE.

Bill *presented*, and read the first time. [Bill 189.]

VACCINATION ACT (1867) AMENDMENT BILL.

On Motion of Mr. WILLIAM EDWARD FORSTER, Bill to amend the Vaccination Act, 1867, *ordered* to be brought in by Mr. WILLIAM EDWARD FORSTER and Mr. BAXTER.

Bill *presented*, and read the first time. [Bill 191.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, 13*th June*, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—Corrupt Practices Act Amendment* (173); Metropolitan Commons Supplemental (No. 2)* (174); Land Drainage Supplemental* (175); Pier and Harbour Orders Confirmation (No. 2)* (176); Clerk of the Peace* (180); Burial Grounds* (181).

Second Reading—Betting (129); Marriage Law (Ireland) Amendment* (135); Gasworks Clauses Act (1847) Amendment (No. 2)* (154); Pier and Harbour Orders Confirmation (No. 1)* (127).

Committee — Citation Amendment (Scotland)* (76-177); East India Stocks (Dividends)* (116-178); Postage* (118-179).

Committee—Report—Pharmacy* (153); Metropolitan Commons Supplemental* (103); Local Government Supplemental (No. 2)* (149); India (Local Legislatures)* (150).

UNIVERSITY TESTS BILL—(No. 138.)

(*The Earl of Kimberley.*)

COMMONS' AMENDMENTS CONSIDERED.

Commons' Amendments to the Lords' Amendments, and Commons' Reasons for disagreeing from some of the Amendments made by the Lords *considered* (according to Order).

THE EARL OF KIMBERLEY trusted their Lordships would not insist on the retention of the clause which they had inserted in the Bill, and to which the Commons disagree. The clause in question—Clause A— raised a most important issue, for it proposed to impose a "negative test," as it had been called —a certain form of declaration—on persons admitted to tutorial offices in colleges. He had seen with as much regret as surprise that the noble Marquess opposite (the Marquess of Salisbury) had given Notice of his intention to divide the House in favour of the retention of the clause. The clause was only carried by the narrow majority of 71 to 66—a majority of 5 votes only; while in the other House it was disagreed from without a division. And though he was far from saying that their Lordships should renounce their independent opinion merely because the other House took a different view, it was not unfair or unconstitutional to ask that when one House had so decided an opinion that there was practical unanimity, while the other was nearly equally divided in opinion, the latter should give way, and not insist upon the Amendment they had inserted.

THE MARQUESS OF SALISBURY said, he could not agree with the somewhat summary view of the noble Earl who had so curtly addressed their Lordships, that whenever the House passed anything without a division it was the duty of this House to accept it. [The Earl of KIMBERLEY denied that he had said so.] He saw no reason why they should assume from the absence of a division in the Commons that their feeling was unanimous, for it was notorious that it was not so. When a party in any legislative Assembly felt themselves to be enormously over-matched, it was not uncommon for them to save their opponents the trouble of a division;—an instance of which occurred only last light, when the noble Earl (Earl Russell) though refusing to withdraw his Motion, in reference to the Treaty of Washington, did not press it to a division, because he knew he was in a minority. He had been assured, moreover, by two Members of the other House that the absence of a division was owing to a misunderstanding, and that it was not to be inferred that no portion of the House desired to support the clause. He freely admitted that, intended as a compromise between two opposing forces, the Amendment had, like all compromises, being little popular with the party from whom it took something, while it had not been accepted by the other to whom it refused something they demanded. The support it received had consequently been small. It was a declaration which did not satisfy the extreme and unbending friends of the Church of England. The time, he thought, had come when in matters of education we might look to our real enemies instead of to traditional conflicts, and might combine our forces in an attempt to exclude the unbeliever to whom we were all opposed, instead of wasting our scattered forces in internal divisions. That such a course would commend itself to the extremists on either side he never flattered himself; but he had hoped the Amendment would have received greater support from those Dissenters—and he believed that out of the House of Commons they were the enormous majority—who aimed at something else than the humiliation of the Church of England. But although it was true the Amendment had found no favour in the House of Commons, whether it would meet with favour from the country it was impossible to tell until the country had had an opportunity of discussing, not the particular phraseology of this declaration, but the great question whether, apart from all controversy as to the prerogatives of the Church, the Christian character of the education given in our Universities should be preserved. This had not been fairly submitted to the people; and he was not prepared to accept the voice of partizans in the House of Commons as showing what their decision would be. He did not feel himself justified by the smallness of the majority in this House in withdrawing from their Lordships an opportunity of determining whether or not they would insist on a declaration which they must have known from the outset would not be welcome to the majority of the House of Commons. The noble Earl (the Earl of Kimberley) had alluded to the smallness of the majority by which the clause had been carried in their Lordships' House; but he would remind the noble Earl that Lord Melbourne, when once twitted with having only a majority of 1, replied that it was, at all events, rather more than the other side—an answer which had the advantage of being an arithmetical fact. The consideration which weighed with him in asking their Lordships to insist on this Amendment was that this was not a mere trivial Amendment, but was the assertion of a great principle, and that it was not for him to assume the responsibility of deciding whether the House should recede from it. Originally, he would remind them, these colleges had the right of electing whom they pleased to form part of their own body; but Parliament had decided that they should elect simply by competitive examination —in other words, that a retentive memory should be the only qualification required to constitute the teachers of English youth. A fellowship was either a reward or an opportunity of teaching. As a reward it was not combated that a retentive memory should be the criterion; but he demurred to the assertion that this alone should be a qulification for the office of teaching:—and now that the test which had hitherto been imposed on fellows was to be repealed, he asked that tutors should declare that they would avoid teaching in opposition to the inspiration and Divine authority of the Holy Scriptures, which everybody in this House admitted to be their duty. The declaration had been objected to as vague and as offending tender consciences; but the House of Commons might have suggested another:—and that it would be a burden on tender consciences was sufficiently refuted by the numberless cases in which persons undertaking an office had to declare that they would perform the duties which it involved. He was conscious that this was not the only security which could be devised for the preservation of religious teaching and the existence of religious teachers in the Universities, and had the Government or the House of Commons shown any inclination to enter into discussion on these points he should have been glad to find some means less objectionable to them of attaining the object in view; but as they had simply and bluntly refused all securities for the exclusion of infidelity or the continuance of a class of religious teachers, he had no choice but to ask their Lordships to re-affirm the principle and to throw upon the Commons, if they would not meet them, the responsibility of a refusal. It was to the principle and not to the form that he adhered, and he believed the principle to be dear to the English people, for in the recent election of school boards they had re-affirmed it by large majorities with as much vigour and determination as at any previous period of our history. Their Lordships would be abdicating their duties and renouncing that guardianship of the essential principles of our institutions which specially belonged to them if, out of fear of the majority of the House of Commons, which appeared to be guided by catchwords more than by principles, they receded from the determination they arrived at the other night.

Moved, to insist on Clause A to which the Commons disagree.—(*The Marquess of Salisbury.*)

LORD LYVEDEN said, he was surprised that a statesman of the noble Marquess' ability should ask their Lordships to insist on an Amendment which had been adopted by their Lordships' House by a very small majority, and which found no supporters in the other. He did not think the noble Marquess had quoted quite correctly Lord Melbourne's answer, which was that a majority of 1 was the surest in the world; that every man would attach so much importance to himself as to consider that he was the one man, and would be certain to be in his place. Whether the noble Marquess' majority would be equally steadfast he was not so certain. He objected to this new test as vague, indiscriminate, and indecisive to the last degree; and for his own part he must say he should prefer subscription to the Thirty-nine Articles, because from habit and frequent study men were willing to subscribe to them as each understood them. In the Select Committee it was proposed to debar tutors from impugning the divinity of Christ—a doctrine which was clearly understood—and this would have excluded Unitarians; but it was very properly asked whether it was fair to exclude one particular sect, and the proposal was negatived. The House of Commons had done everything they could to conciliate their Lordships, but their Lordships had responded to this by sending down a declaration that tutors should not impugn the teaching of the Holy Scriptures. Now, there had been disputes of late years on the right rev. bench, in the Privy Council, and among the public as to what doctrines were scriptural and what were not, and a vaguer test could not be devised. If their Lordships insisted upon it the Bill would probably drop for the Session. Now, he did not know what the noble Marquess' wish was, but his own opinion was, that it would be well for the Bill in that case to drop, for when it came up again from the Commons it would, probably, be with important modifications, such as those which he had himself proposed for the abolition of clerical fellowships, but which he withdrew at the solicitation of Government. He should, however, deprecate any step which should prolong the controversy between the two Houses of Parliament on this question, and the continued irritation of the public mind; and he entreated their Lordships not to retard the settlement of a question which had alienated many of the moderate and more liberal of the opposite party. That settlement, he believed, would conduce to the improvement of the Universities, and of education throughout the country. He trusted that the Motion of the noble Marquess would be rejected, not by a majority of 5, but by such a majority as would make a continuance of the conflict hopeless.

THE DUKE OF RUTLAND said, he quite agreed with the course taken by the noble Marquess. His noble Friend, and those who acted with him, were ready to accept a compromise; but in doing so they were anxious to obtain some security for religious teaching, and this declaration had been recommended as the best that could be adopted. Whether this was a vague declaration, as it had been described by the noble Lord (Lord Lyveden), or not, he was not going to discuss; but the House of Commons had not proposed to alter it, nor to substitute another; nor had the noble Lord himself proposed anything of the kind. It had been said that it would be an insult to those who had to take it; but he (the Duke of Rutland) thought it was rather an insult to them to suppose that there could be any hesitation in making such a declaration; or that, if they did take it, they would not take it *bonâ fide.* If these colleges had been endowed by an eminent Dissenter like John Wesley, and the Legislature had proposed not only to confiscate the emoluments with which he had endowed them, but had refused them any security for the religious character of the education to be given in them, there would have been a great outcry.

EARL RUSSELL said, he objected to the imposition of any new test, and this one was open to all the objections taken to it by the House of Commons. As long as the general tone of the country was favourable to religion the feeling at the Universities would continue to be so also, and more reliance could be placed on this security than on a test which apparently bound persons, but which did not really do so. A sincere and earnest believer might regard certain parts of the Bible as not of Divine authority, while others would maintain the opposite view, and the taking of a declaration like this would expose him to being pointed out as unsound in his opinions—thus introducing into the Universities doubt and controversy much to be deprecated. He hoped their Lordships would not insist on the Amendment, and that the settlement of this question would lead to great improvements at Oxford and Cambridge. The Government had done wisely in not carrying the Bill further, and in avoiding the question of clerical fellowships and other points, for he believed the Universities and colleges would be able themselves to make the necessary reforms. The Master of Balliol, Mr. Jowett, had proposed a plan which seemed to him essential and adequate. His proposal was that there should be two classes of fellowships—one for persons employed in teaching in the college, while the other class would be held for a certain number of years, giving their holders the opportunity and means of pursuing studies which would ultimately bring them to eminence and to a competence, but which their circumstances would otherwise prevent them from pursuing. It was also desirable that men who distinguished themselves in the study of modern literature should be awarded honours equally with those who excelled in the older branches of study. With the vast resources at their disposal Oxford and Cambridge would be able to carry out many useful reforms; and he trusted that by the settlement of this question they would become, in every sense of the term, national institutions.

LORD ORANMORE AND BROWNE said, he had supported the Amendment, though he had done so on grounds different from those stated by the noble Marquess in bringing it forward. The issue was no longer between Church and Dissent, but between Christianity and Rationalism. The country, he believed, were it appealed to, would ratify the Amendment; and, though its phraseology might be criticized, it would be a pledge on the part of the country in favour of religious teaching in the Universities. He understood that in the Scotch Universities a similar test existed, and met with no objection, and he could see no reason why it should be objected to as regarded ours. The only fault found with this declaration was that some clever Sophist or Rationalist might evade it; but on the principle of mental reservation no promise was binding; but he believed the parents of this country would approve it as an expression of opinion that Christianity should still be taught in the Universities.

EARL GREY admitted that the danger against which the Amendment was directed was by no means an imaginary one. Undoubtedly, the mode in which fellows of colleges were formerly elected —namely, by favour of the electors— was open to grave abuses; but he was by no means sure that Parliament had acted wisely in making their election depend altogether on competitive examinations, for by so doing we had lost the security we formerly had that those intrusted with the government of the colleges should be men of religious convictions. He was sensible of the danger of a school of men being formed in the Universities, men of great intellectual power, who rejected to a certain extent the principles of Christianity, and who by their possession of fellowships might exercise too great an influence in the government of the colleges; but, though the danger against which it was sought to provide might be a real one, he could not see how the Amendment would meet it. The best guard against this danger would be not the imposition of a negative test, but restoring to those who had the election of fellows some of the discretion they formerly possessed, and by which they were able to give preference to men of religious character. It was difficult, however, by a test to ascertain whether men were favourable to Christianity or not, and this declaration seemed to him quite inadequate to meet the danger against which it was directed. He did not wish this House to set itself in opposition to the other House, except in a case where it had reason and sound argument on its side, and he hoped, therefore, that their Lordships would not insist on the Amendment.

LORD LYTTELTON said, that though originally a supporter of the Amendment, he could not follow the noble Marquess in adhering to it after the small majority by which it was adopted by their Lordships, and after what had occurred elsewhere. He voted for it, though not attaching much value to it, as being in consonance with the feeling of the parents of this country, but without wishing that it should have the effect of the loss of the Bill; and the opposition to the principle of the measure having ceased, so that its passing in some shape was certain, he preferred to sacrifice the Amendment to a prolongation of irritation and controversy.

THE EARL OF DENBIGH said, he would have preferred not voting on a measure which was chiefly intended to benefit persons who were not Catholics; but, in token of his sympathy with those who were making a stand against the party who wished to exclude religion altogether from education, he should support the clause.

THE EARL OF HARROWBY hoped the noble and learned Lord on the Woolsack would explain what would be the effect of the Bill on the question whether intellectual attainments were alone to be the criterion of elections to fellowships, or whether religious character was also to be taken into account.

THE EARL OF KIMBERLEY, in reply, reminded the noble Marquess, who had said he stood upon the principle though not the form of the Amendment, that though principles were excellent things, the application of them was the main question. In stating that he did not care much about the form, but insisted on the principle, he had really given up the whole case. He quite agreed with the noble Earl (Earl Grey) that there was some danger of religious opinions of an objectionable character arising from time to time in the Universities and in the country, but the test proposed was utterly and absolutely inadequate to meet any such danger. Nor was it merely inadequate—it was objectionable and injurious, because, while it would be a trap to catch some sensitive consciences, it was so vague and elastic that it would be readily taken by those whom it was most desirable to exclude. Such a test could not attain the object which the noble Marquess had in view, and he therefore trusted that their Lordships would reject it.

On Question, Whether to insist? their their Lordships *divided*:—Contents 89; Not-Contents 129: Majority 40.

Resolved in the *Negative*.

CONTENTS.

Buckingham and Chandos, D.
Marlborough, D.
Richmond, D.
Rutland, D.

Bath, M.
Bristol, M.
Exeter, M.
Hertford, M.
Salisbury, M. [*Teller.*]

Abergavenny, E.
Amherst, E.
Bantry, E.
Bathurst, E.
Beauchamp, E.
Brooke and Warwick, E.
Cadogan, E.
Carnarvon, E.
Chesterfield, E.
Dartmouth, E.
Denbigh, E.
Eldon, E.
Feversham, E.
Graham, E. (*D. Montrose.*)
Harewood, E.
Harrowby, E.
Hillsborough, E. (*M. Downshire.*)
Howe, E.
Kellie, E.
Lanesborough, E.
Lauderdale, E.
Malmesbury, E.
Manvers, E.
Morton, E.
Radnor, E.
Romney, E.
Shrewsbury, E.
Stradbroke, E.
Tankerville, E.
Vane, E.
Verulam, E.
Wilton, E.

Bangor, V.
De Vesci, V.
Hawarden, V.
Hood, V.
Hutchinson, V. (*E. Donoughmore.*)
Strathallan, V.

Gloucester and Bristol, Bp.
Lichfield, Bp.
Lincoln, Bp.

Abinger, L.
Boston, L.
Brodrick, L. (*V. Midleton.*)
Cairns, L.
Chelmsford, L.
Churston, L.
Clanbrassill, L. (*E. Roden.*)
Clinton, L.
Colchester, L.
Denman, L.
De Saumarez, L.
Dunsany, L.
Egerton, L.
Fitzwalter, L.
Hartismere, L. (*L. Henniker.*)
Headley, L.
Inchiquin, L.
Kesteven, L.
Northwick, L.
Oranmore and Browne, L.
Penrhyn, L.
Raglan, L.
Ranfurly, L. (*E. Ranfurly.*)
Ravensworth, L.
Rayleigh, L.
Redesdale, L.
Sheffield, L. (*E. Sheffield.*)
Silchester, L. (*E. Longford.*)
Sinclair, L.
Skelmersdale, L. [*Teller.*]
Stanley of Alderley, L.
Stewart of Garlies, L. (*E. Galloway.*)
Strathspey, L. (*E. Seafield.*)
Talbot de Malahide, L.
Thurlow, L.
Tredegar, L.
Wigan, L. (*E. Crawford and Balcarres.*)
Wynford, L.
Zouche of Haryngworth, L.

NOT-CONTENTS.

Hatherley, L. (*L. Chancellor.*)
York, Archp.

Cleveland, D.
Devonshire, D.
Grafton, D.

Saint Albans, D. [*Teller.*]
Somerset, D.

Ailesbury, M.
Camden, M.
Lansdowne, M.
Westminster, M.

Abingdon, E.
Airlie, E.
Albemarle, E.
Camperdown, E.
Chichester, E.
Clarendon, E.
Cowley, E.
Cowper, E.
Craven, E.
Dartrey, E.
De Grey and Ripon, E.
De La Warr, E.
Derby, E.
Devon, E.
Effingham, E.
Essex, E.
Fortescue, E.
Granville, E.
Grey, E.
Ilchester, E.
Jersey, E.
Kimberley, E.
Leicester, E.
Morley, E.
Nelson, E.
Rosse, E.
Russell, E.
Saint Germans, E.

Eversley, V.
Halifax, V.
Powerscourt, V.
Sydney, V.
Torrington, V.

Bath and Wells, Bp.
Carlisle, Bp.
Exeter, Bp.
Hereford, Bp.
Oxford, Bp.
Ripon, Bp.
Salisbury, Bp.

Abercromby, L.
Acton, L.
Ashburton, L.
Auckland, L.
Balinhard, L. (*E. Southesk.*)
Barrogill, L. (*E. Caithness.*)
Beaumont, L.
Belper, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Brougham and Vaux, L.
Calthorpe, L.
Camoys, L.
Carew, L.
Carysfort, L. (*E. Carysfort.*)
Castletown, L.
Chesham, L.
Churchill, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Clermont, L.
Clifford of Chudleigh, L.
Congleton, L.

Crewe, L.
Dacre, L.
De Tabley, L.
Dinevor, L.
Dunning, L. (*L. Rollo.*)
Ebury, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Foxford, L. (*E. Limerick.*)
Granard, L. (*E. Granard.*)
Greville, L.
Gwydir, L.
Hare, L. (*E. Listowel.*)
Harris, L.
Houghton, L.
Keane, L.
Lawrence, L.
Lismore, L. (*V. Lismore.*)
Londesborough, L.
Lurgan, L.
Lyttelton, L.
Lyveden, L.
Meldrum, L. (*M. Huntly.*)
Meredyth, L. (*L. Athlumney.*)
Methuen, L.
Minster, L. (*M. Conyngham.*)
Monck, L. (*V. Monck.*)
Monson, L.
Mont Eagle, L. (*M. Sligo.*)
Monteagle of Brandon, L.
Mostyn, L.
Northbrook, L.
Oxenfoord, L. (*E. Stair.*)
Panmure, L. (*E. Dalhousie.*)
Poltimore, L.
Ponsonby, L. (*E. Bessborough.*)
Portman, L.
Robartes, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Rossie, L. (*L. Kinnaird.*)
Sandhurst, L.
Sandys, L.
Saye and Sele, L.
Seaton, L.
Sefton, L. (*E. Sefton.*)
Skene, L. (*E. Fife.*)
Somerhill, L. (*M. Clanricarde.*)
Stratheden, L.
Sudeley, L.
Suffield, L.
Sundridge, L. (*D. Argyll.*)
Vaux of Harrowden, L.
Vernon, L.
Wenlock, L.
Westbury, L.
Worlingham, L. (*E. Gosford.*)
Wrottesley, L.

THE MARQUESS OF **SALISBURY** said, he did not think it would serve any useful purpose to divide on the other points, but trusted the noble Earl would not assume that because they did not divide the House was therefore unanimous.

The rest of the Amendments to which the Commons disagree *not insisted on;* and the Commons Amendments *agreed to.*

BETTING BILL—(No. 129.)

(*The Earl of Morley.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF **MORLEY**, in moving that the Bill be now read the second time, said, that the object of the Bill was to amend the Act of 16 & 17 *Vict.* c. 119, entitled an "Act for the Suppression of Betting Houses." That Act, passed in 1853, had failed to effect the purposes for which it was passed; and, moreover, it was confined to England and Ireland and did not extend to Scotland. This Bill would extend the Act to Scotland, and they would thus be enabled to reach a class of offenders who at present escaped with impunity. There were a class of men who got their living by advertising to give information and advice in respect of betting, and to make bets on behalf of other persons. When the Act of 1853 became law these people retired to Scotland and issued their advertisements from that country, where the Act had no operation. Their circulars went through the length and breadth of the land, and, offering very great temptations, they entrapped a great number of unwary persons to entrust them with money for the purpose of making bets. These sums were frequently as small as 1*s.*; but these small bets were perhaps the most pernicious part of the whole system. When the time came, these advertising betting men presented their dupes with a debtor and creditor account, by which it was made to appear that their money had been fairly lost—because lost it invariably, or almost invariably, was. They were, in fact, in the great majority of cases, mere swindlers. He did not at all suppose that betting could be put down by Act of Parliament; but the Legislature could at any rate do some service by putting a stop to the depredations of this description. The 3rd section was directed to the Amendment of that clause of the 16 & 17 *Vict.* c. 119, which related to betting houses. At present, the penalties of the Act were restricted to the owner or occupier of any house or office used for betting, or his servants or agents. This restrictive part of the clause was repealed, and now any person who should receive money for betting purposes was brought under the Act. As in the existing Act, this clause affected only what was called deposit betting—that is, when a sum of money was handed over to another person before the event on which the money was staked, came off. By the 4th clause, persons advertising that they will give information or advice as to betting, or with intent to induce any person to resort to them for such information or advice, or to take shares in any bet or wager, were made punishable as by the 7th section of the principal Act. And the 5th clause enacted that a circular or letter, sent by post or by any other means, in connection with betting transactions of this kind, shall be deemed an advertisement within the meaning of the 7th section of the principal Act, and be punished accordingly.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

THE IRISH LAND ACT.—OBSERVATIONS.

LORD **GREVILLE** rose to call attention to the judgment delivered on Friday last in the Court of Appeal in Ireland by Lord Justice Christian, involving a point of great importance in connection with the Act of last year. The Landed Estates Court decided that they were not bound to insert in the particulars of the sale of an estate the claims of the tenants to compensation for improvements under the Act of 1870. The tenants thought they would be injuriously affected by this decision, and accordingly they carried their case to the Court of Chancery Appeal, which was constituted of two Judges, one a permanent Judge entitled the Lord Justice of Appeal, and the other the Lord Chancellor of Ireland. The latter affirmed the decision for the same reasons as had been given by the Court below—namely, that he did not think that the interests of the tenants were in any way affected by the conveyance. The Lord Justice of Appeal also affirmed the decision, but on the ground that he did not consider that the tenants possessed any right whatever under the Act of 1870. He would quote the exact words of the learned Judge, who was one of the ablest Judges in the land, and whose opinion, therefore, carried great weight. He said—

> "They were asked to ascribe to the Land Act an effect which would be confiscation pure, simple, and uncompensated—a specimen of legislation unparalled in the whole range of real property statute law. It was sought to have that effect given to the first clause of the Land Act by the use of the words that the usage prevalent in Ulster should be declared legal. He could give no such construction to that clause. He supposed that the Act was passed from the highest motives of Imperial policy, and he might suppose that it was passed as the price of keeping a political party in power. But all that was beside the question."

The 1st clause of the Act passed last year enacted that the Ulster tenant-right customs should be legal, but now the Court of the highest Court of Appeal in Ireland had declared that they were not legal.

Lord CAIRNS rose to Order. He did not dispute for a moment that the subject was of great importance, or that the noble Lord had the right to ask a Question respecting it. As, however, the Question related to expressions alleged to have been used by a learned Judge, he submitted that those expressions ought not to be quoted from a newspaper report.

The LORD CHANCELLOR said, he had hesitated to interpose, but he ought now to state that the learned Judge who was alluded to entirely disavowed the accuracy of the report.

Lord GREVILLE said, there was nothing more to be said if the learned Judge asserted that the report was in the main inaccurate. He would not go into that part of the case, but it was a very serious thing if the tenantry generally throughout Ireland—and particularly in Ulster and those other districts in which tenant-right customs prevailed—were to be left in doubt as to whether their property in improvements which was supposed to have been created by the Act of last year did not really exist, and if any proprietor could by selling his estate defeat the whole object of the Act. He should be very glad to find that the learned Judge had not used the words attributed to him; but as great fears were entertained on the subject by many persons in Ireland, he would ask what course the Government intended to pursue if the report turned out to be substantially correct?

The LORD CHANCELLOR said, he was not at all surprised at the noble Lord (Lord Greville) asking the Question, which he would answer on behalf of Her Majesty's Government. On examining the newspaper reports—which had not attracted his attention until it was brought before him in connection with this question—he found it contained expressions so strong and singular alleged to have been made by Lord Justice Christian, that, supposing them to be correct, he should have felt some embarrassment as to the course proper to be pursued. He had, however, now been allowed to see a letter from the learned Judge, who, speaking of the report, said, in substance—

> "It is not a report, but rather a travesty of what I was supposed to have said. The strong expressions which I may have used with reference to one subject have been transferred and carried to a totally different subject, and the whole report, as it appears in the newspapers, is unintelligible and does not contain anything that I expressed."

So far for the report. Under these circumstances it would of course be impossible for him (the Lord Chancellor) to express an opinion on the statements attributed to the learned Judge. With regard to the subject-matter itself, he must observe that no decision had been given to the effect that the Ulster custom was not protected and rendered valid by the Act of last year. Indeed, the learned Lord Justice of Appeal concurred with the Lord Chancellor in the judgment. The matter, therefore, amounted to this—supposing that the words attributed to the learned Lord Justice of Appeal were actually used by him—that there was a difference of opinion between the two learned Judges of the Court, with respect to a matter which was not before them for decision at the time. Unless the tenantry carried the case further, there would be no means of obtaining a legal decision as to the construction to be placed on the Act; and until the Government knew what the actual construction was he did not see how any legislative measure could be brought forward with reference to the subject.

CLERK OF THE PEACE BILL [H.L.]

A Bill for making regulations as to the office of Clerk of the Peace for the county palatine of Lancaster—Was *presented* by The Lord CLANDEBOYE; read 1ª. (No. 180.)

BURIAL GROUNDS BILL [H.L.]

A Bill to amend the Law of Burials in England and Wales—Was *presented* by The Earl BEAUCHAMP; read 1ª. (No. 181.)

House adjourned at a quarter past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 13*th June*, 1871.

MINUTES.]—SELECT COMMITTEE—Conventual and Monastic Institutions, *nominated.*

PUBLIC BILLS—*Ordered—First Reading*—Municipal Corporation Acts Amendment* [193]; Factory Acts Extension Act (1864) Amendment* [194]; Railway Regulation Amendment* [195]; Hosiery Manufacture (Wages)* [196].

First Reading—Canada* [192].

Referred to Select Committee—Local Government Supplemental (No. 3)* [178].

Committee—Army Regulation [39]—R.P.

Considered as amended—Ecclesiastical Titles Act Repeal* [164].

Third Reading—Courts of Justice (Additional Site)* [179]; Oyster and Mussel Fisheries Supplemental (No. 2)* [175], and *passed.*

The House met at Two of the clock.

BONELLI'S TELEGRAPH COMPANY. QUESTION.

MR. SEELY asked the Postmaster General, Whether his attention has been called to a case heard before Vice Chancellor Bacon on the 31st of May last, in which the plaintiff, a Mr. Collie, sued the directors of the Bonelli's Telegraph Company for his commission of 25 per cent on a sum of £22,500, being the amount at which the plaintiff negotiated the sale of Bonelli's Company to the Post Office; whether he is aware that in the course of that trial it came out in evidence that before the Company had been advised to negotiate through Mr. Collie, they had been ready to sell their undertaking to the Post Office for £5,000; and, whether he will inform the House what it was the Post Office purchased for the sum of £22,500, and what benefit it is now deriving from such purchase?

MR. MONSELL said, he was informed that when the Telegraph Bill of 1868 was before a Parliamentary Committee, the secretary of Bonelli's Company did state that the Company would take £5,000 for their undertaking. The Company subsequently repudiated this informal offer, and declared that it was made without authority. It appeared that the Company had been for several years in a state of collapse. When it was understood that the Government were going to take over the telegraphs, it developed a considerable amount of activity, and proceeded to make arrangements, which it had the full right to do, for the purpose of establishing telegraphic communication between the different centres of business in the country. When the Monopoly Bill of 1869 was passed, the Post Office had either to purchase the rights of this Company, or to submit to a very inconvenient competition until an arrangement could be made. Some of the best and most lucrative parts of the country which the Government procured itself by its monopoly would have been occupied by this Company, and, under these circumstances, it was considered most expedient to pay the sum, recognized as a very large one, which was given to the Company under arbitration. It was a necessary part of the price paid by the Government for its monopoly. He was informed that the whole of the negotiations had been carried on exclusively with Messrs. Bumpus and Co., and not with Mr. Collie, as implied by his hon. Friend's Question.

IRELAND—LORD JUSTICE CHRISTIAN AND THE IRISH LAND ACT.—QUESTIONS.

SIR JOHN GRAY asked the First Lord of the Treasury, If his attention has been called to the judgments of the Lord Chancellor and of the Lord Justice of Appeal, delivered on Friday the 9th instant in the Court of Chancery Appeal, Ireland; and, if so, whether it is his intention to propose whatever legislative measures a review of these judgments may show to be necessary to give validity and effect to the Tenant Right of Ulster, which the Land Act of 1870 purports to legalize and enforce?

MR. MAGUIRE asked the First Lord of the Treasury, If his attention has been directed to a judgment delivered by Lord Justice Christian, on Friday last, in the Court of Appeal in Chancery in Ireland, seriously affecting the legal validity of the Tenant Right customs of Ulster; and, whether he will at once give instructions to have the shorthand writer's note of the judgments delivered on that occasion by Lord O'Hagan and Lord Justice Christian procured; or, in case no authentic report can be obtained of these judgments through a shorthand writer, whether he will cause instant application to be made to the learned judges themselves, requesting them to supply authentic copies of their judgments, so as to have them laid upon the Table of the House without delay?

Mr. PIM asked the First Lord of the Treasury, Whether his attention has been called to the judgment lately delivered in Dublin by the Lord Justice of Appeal, in the case of the Estate of the Marquis of Waterford, in which his Lordship is reported to have given his opinion that the "Landlord and Tenant (Ireland) Act, 1870," had "failed in giving a legal efficiency" to the Ulster Tenant Right; that the Landed Estates Court ought not to recognize the existence of tenant right by setting it out in the rental; and that "after the conveyance" to the purchaser "all claims for tenant right would be utterly destroyed unless the Legislature once more interfered for the tenant's protection;" and, whether he is prepared to put an end to the state of uncertainty which must result from this judgment given by the Lord Justice of Appeal, by introducing without delay a Bill to give legal effect to the intentions of Parliament in passing the Land Act of 1870?

Mr. GLADSTONE: Sir, I am very glad that upon a question of so much importance hon. Members of influence representing Irish constituencies have been so vigilant and so prompt in calling attention to circumstances which are undoubtedly of a character calculated to create uneasiness. I say it not by way of complaint, rather indeed by way of apology for myself; but, in consequence of this promptitude on the part of the hon. Members, I have not been able to make the full and careful inquiries into the subject that would have enabled me, had I had sufficient time to have made them, to give that minute and particular answer to the Questions of the hon. Members that I could wish to give them, and therefore I can only give a substantial answer to them. In the first place, I think I ought to mention that I have received from the right hon. Gentleman the Member for Clare (Sir Colman O'Loghlen) a note enclosing a letter to him from Lord Justice Christian, in which the latter states that he entirely disclaims and declines to be bound by the report which has appeared in the newspapers, which he alleges to be very far indeed from representing the real tenour of his remarks. Of course, I give no opinion upon this matter, further than to observe that the assertion of Lord Justice Christian himself as to his intention in delivering the judgment in question is a circumstance which it was my duty to mention—and I do so with pleasure and satisfaction—to the House. At the same time, the note of Lord Justice Christian does not purport to give an account of the opinions which he really intended to give on the subject, and, consequently, this part of the matter is not at present clear. In reply to the Questions that have been put to me, I have to say that what I believe to be the case is this—no official record, strictly speaking, of the reasons which a Judge may give for his decision exists, and I have not been able to learn that it has been usual to apply, on the part of the Executive Government, to a Judge to make a statement of such reasons with a view to their being laid before Parliament. Although I speak with some reserve in consequence of my inquiries having been hasty, I believe I am justified in stating that the notes of the shorthand writers, where there were any, have been produced and laid before Parliament; but in the present case the Solicitor General for Ireland (Mr. Dowse) is under the impression that there is no report of that character, and, consequently, I am not in a position to give a satisfactory answer to the Question whether I am prepared to lay such a report of the judgment upon the Table of the House. We shall, however, look further into the matter, and if it be in our power to ascertain with precision what were the decisions given by a personage so important as the Lord Justice of Appeal in Ireland we shall do our best to get to the bottom of it, and to lay the whole matter before this House, provided we can do so with propriety. But, quite apart from this matter, there remains something more important, which we have to consider—namely, the opinions which have justly or unjustly been attributed to Lord Justice Christian in the reports that have appeared of his judgment. I have to state with regard to those opinions, so attributed to him, that they are at variance with the opinions of the Lord Chancellor of Ireland, another Judge of Appeal of the highest rank; that they are at variance with the opinions of the two Judges of the Landed Estates Court, from whose decision the appeal came; that they are also, as I am advised, at variance from the decision of several of the Chairmen of Counties, and of the most distinguished Judges of Appeal in the Lands Courts; while they are certainly at variance, as I am informed by the Law Officers for Ireland, with the construction put upon the Land Act by the various legal commentators and by the legal profession generally in Ireland. To this, I may add that this House is not insufficiently furnished with legal learning, and that no Act having ever attracted greater legal attention than the Land Act, it would be most extraordinary if the acute and accomplished minds that were constantly directed to the consideration of that Act had so grossly failed in effecting their object, as, from the opinions contained in the report which appeared in the newspapers as the judgment of Lord Justice Christian, would appear to be the case. Under these circumstances I own, for myself and for the Government, that we do not feel any great uneasiness upon the subject, and I should be glad if that feeling of confidence could be communicated to the minds, not only of the hon. Members —who, however, have only done their duty in raising the question—but to those of the numerous class who are profoundly interested in this matter in Ireland. I am by no means convinced that it will be necessary for us to propose any further legislation consequent upon a statement of this kind. But what I wish to convey absolutely and unconditionally to the hon. Members and to all who may be interested in the subject is this—that, whether there be need for legislation or not, the Government will not, as far as depends upon them, suffer the plain and manifest intention of Parliament in passing the Land Bill with regard to the Ulster Tenant Right to be defeated. These are our intentions in the matter, and although I hope that there may be no occasion for any new measure to be brought in in order that the intention of Parliament may be carried into effect, still, whether there be or be not such occasion, those who are interested in this matter may be assured that the Government will not fail to do whatever may be requisite in order to give full effect to the intentions which Parliament has expressed, and to what, under the circumstances, must morally be considered in the nature of a covenant entered into with the people of Ireland.

EDUCATION (SCOTLAND) BILL.

QUESTIONS.

MR. M'LAREN asked the First Lord of the Treasury, Whether, with the view of facilitating the passing of the Education (Scotland) Bill during the present Session, he will consent to have it passed through Committee *pro formâ* and reprinted with such of the suggested Amendments as Her Majesty's Government may think fit to adopt, or, failing this, whether he will consent to have the Bill referred to a Committee upstairs, so constituted as fairly to represent the different views held in Scotland on the subject?

COLONEL SYKES asked, Whether the right hon. Gentleman is aware that about 200 proposed Amendments of the Bill had been laid on the Table?

MR. GLADSTONE said, in reply, that he wished in the first place to remove from the mind of his hon. Friend the Member for Edinburgh a misconception for which possibly he was himself responsible. His hon. Friend thought the Government were under the impression that there was a disinclination on the part of the people of Scotland to the Scotch Education Bill. The Government were not under any such impression. All that he had heard led him to believe that the views of the people of Scotland were favourable to the general provisions of that measure. The Government would gladly adopt any course that they thought would facilitate the passing of the Bill during the present Session, because they could not but feel that one Session and a-half having been almost exclusively given to the consideration of important measures for the sister island, the claim of Scotland to the consideration of an important measure affecting that country was very high, and the Government clung to the hope that they would be able to induce the House to pass the Scotch Education Bill this Session. With regard to the reference of the Bill to a Select Committee, or passing it *pro formâ* through Committee, he had consulted his right hon. and learned Friend the Lord Advocate, and his judgment at the present time was that neither course would really conduce to the passing of the Bill. Notwithstanding the formidable list of Amendments, he thought the House would be disposed to deal with the Bill in a very favourable manner.

ARMY REGULATION BILL.

QUESTIONS.

Lord GARLIES asked the Secretary of State for War, Whether he will state numerically the Clauses after Clause 5, which he proposes still to retain in the Army Regulation Bill?

Mr. CARDWELL, in reply, said, the clauses which, looking at the Notice Paper, he proposed to omit were 6, 9, 11, 12, 13, 14, 20, 21, 22, 23, 24, 28, 29, 30, 31, 33, and 34. The principal subjects to which they referred, he believed, were the extension of short service beyond the limit sanctioned by the Act of last Session, the clauses dealing with the Act of 1860, and the provisions for increasing the Militia in case of emergency, and the power to local authorities to borrow money to build barracks.

Colonel JERVIS asked, whether the right hon. Gentleman did not think it necessary that the Bill should be reprinted?

Mr. CARDWELL said, he believed it would be possible to send round with the votes a document which would show what the Bill was as it would stand.

Lord GARLIES asked the Chancellor of the Exchequer, whether it is a fact that an estimate has been drawn up as to the probable cost of the scheme for promotion and retirement which will be rendered necessary by the abolition of purchase in the Army, and, in the case of this being so, whether he will object to lay it upon the Table of the House?

The CHANCELLOR of the EXCHEQUER said, the noble Lord had not given him sufficient notice of the question to enable him to make inquiries on the subject. It was not a matter relating to his Department at all, and he thought it would be more desirable if the noble Lord had specified more particularly what he meant by an estimate being drawn up, and by whom, and when it was drawn up. There was nothing of the kind in his office. He had made inquiries at the War Office and could find nothing of the kind there.

Lord GARLIES said, the Secretary of State for War having informed the House that all the Army Bill would be withdrawn except certain clauses, he felt that unless he put the question at once he might not have an opportunity of making the inquiry before the Bill passed through Committee.

Mr. HUNT asked whether any scheme had been submitted to the Secretary of State for War respecting retirement in the event of the Bill passing, and if it had received the approval of the Government.

Mr. CARDWELL said, no scheme had received the approval of the Government, but of course he had been in communication with a great many people upon the measure proposed by the Government. But he had repeatedly stated, with regard to retirement, that there would be no difficulty whatever in making acturial calculations when they they had got the requisite *data*.

Colonel STUART KNOX asked Mr. Chancellor of the Exchequer whether it is usual for a Secretary of State to bring a scheme of this sort before the House, involving the expenditure of public money, without such scheme having been placed before the Chancellor of the Exchequer and approved by him.

ARMY—CAPITATION ALLOWANCE TO VOLUNTEERS.—QUESTION.

Mr. WINN asked the Secretary of State for War, Why the Capitation Grant due to the Volunteers for 1870 has not been paid to some Corps, although the Returns were sent in December last, and the military year ended on the 1st of April; and, whether the Government are aware that considerable dissatisfaction exists in consequence of such delay of payment?

Mr. CARDWELL: Sir, there are 1,276 Volunteer corps. 750 claims for capitation allowance for the current year 1871-2 have been paid; 240 claims are in course of payment, and will be paid within the next eight days. The remainder—286 corps—of the claims will be paid on receipt of the necessary forms of application.

ARMY REGULATION BILL—[BILL 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

COMMITTEE. [*Progress 12th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 4 (Compensation to officers of certain Indian regiments.)

SIR CHARLES WINGFIELD rose to move, in page 4, line 32, to leave out all the words after "retire" to the end of the clause, in order to insert—

> "Compensation equal to the sums they would have received from the junior officers of their regiments had they retired therefrom prior to the said appointed day."

The hon. Gentleman said, his object was to secure to the officers of the Indian non-purchase corps that compensation to which they were fairly entitled under the bonus system. The bonus system of the 12 non-purchase system regiments formerly belonging to the Indian Army was substantially the same as the system of over-regulation prices in purchase regiments. If there was any difference it was in favour of the officers of the non-purchase corps, because the bonus system had been sanctioned by the Court of Directors. He did not complain that the bonus system was to be brought to a close; but, as he had voted in favour of paying the over-regulation price, and as the bonus system and the system of over-regulation prices was the same, his contention was, that a different measure of compensation should not be dealt out to the officers of the two branches of the same service. He therefore asked the right hon. Gentleman the Secretary of State for War to apply to the officers of the non-purchase corps the same principle of indemnity which he had himself laid down with respect to the officers of purchase regiments. It had been suggested that he had better adopt the Amendments suggested by the hon. and gallant Members for Aberdeen (Colonel Sykes) and Harwich (Colonel Jervis); but his objection to their proposal was, that it would still leave the amount of compensation vague and indefinite, whereas it had been very precisely defined in the case of the purchase corps. He therefore begged leave to move his Amendment.

COLONEL NORTH seconded the Amendment.

MR. CARDWELL said, he would admit the full force and validity of the principle with which his hon. Friend had pressed him. He was pleased to have the opportunity of making a reasonable concession, and as he had considered whether there was any necessary conflict between the application of the rule by the India Office prior to the date of the transfer of these regiments and the rules which would apply to the officers since the transfer, with a very slight Amendment he believed he could agree to the proposal, with the addition of the words, "according to the custom of the regiment," which he presumed the hon. Member would have no objection in inserting after the words, "they would have received."

MR. VERNON HARCOURT said, he understood the object of this to be that the country should not only pay the over-regulation money in the case of the purchase corps, but in the case of the non-purchase corps also, by paying the money arising out of the bonus system.

Amendment *agreed to.*

COLONEL JERVIS suggested, and MR. CARDWELL acceded to, the omission from the clause of the words "with the sanction of the Treasury."

Clause, as amended, *agreed to.*

Clause 5 (Provision for expense of compensating officers.)

MR. HUNT said, that this was a very important clause, and one on which the alterations proposed by the Government during this discussion had an important bearing. The clause was the ordinary form of saying that the money required for the purposes of the Bill was to be voted in the Estimates, and that he understood to be the intention of the Government. The Chancellor of the Exchequer had made provision for a payment of £600,000 this year and for £1,200,000 next year; but at the time that that provision was made, a restriction was imposed upon the number of officers who should be allowed to retire. Now that that restriction had been removed, the estimate of £600,000 and £1,200,000, and all the other calculations which the Government had made, were valueless, because any number of officers were entitled to sell their commissions and demand immediate payment at the hands of the Government. Whether, however, the officers would, to any extent, avail themselves of this opportunity would in a great measure depend upon the system of promotion to be established by the Government. Under the existing system an officer knew what he was purchasing, and knew, moreover, what were the conditions of the service, and was able to make up his mind whether it was worth his while to purchase his commission or any of the subsequent steps. There was, however, on the part of the officers, a great apprehension as to what the nature of the system of promotion was to be. If it was to be a system of promotion by seniority, what was the use of this Bill? And if it was to be a system of promotion by selection, they ought to know on what principles that system was to be based, for among the officers there was a *bonâ fide* fear that the system of selection would develop into a system of favoritism. The limitation being withdrawn, there was no saying what might be for some years the annual charge upon the Votes for the purpose of purchasing commissions. That fact entirely altered the conditions under which Clause 5 came before the Committee. The Government estimated that the purchase of commissions would extend over 25 years. But now it might be that the greater part of these commissions would have to be paid for in three or four years. It was a question, therefore, whether the very considerable amount to be thus provided should be paid out of the annual Votes of Parliament. Had the original scheme been carried out, there was no reason why the amount should not have been charged upon the Votes. The restriction, however, having been removed, and it being necessary to incur the expenditure within a few years, it would be unwise that the House should pledge itself to defray all this expenditure by means of annual Votes. For that reason, he thought there ought to be some exposition from the Government as to what they foreshadowed would occur in the matter.

On Question, "That Clause 5 stand part of the Bill."

MR. CARDWELL said, in reply to the observations of the right hon. Gentleman opposite (Mr. Hunt), that when the Bill was first introduced he heard very little objection taken except to this particular limitation, which was considered a great hardship. Now, he had been charged with an indisposition to yield to suggestions made. But the Government were very desirous to disarm opposition not only for their own advantage and convenience, but also, as he might truly say, from a desire to meet the wishes of opponents of the Bill; and, after inquiry, he saw no reason to believe that the limitation would be of any practical value. Officers were not less likely to wish to hold commissions after the new system was introduced than they were under the old. There was, indeed, an impression that officers would desire to serve under the new rather than under the old system, and no wonder. The taxpayer was about to be called on for a very considerable outlay. [*Opposition cheers.*] Yes, hon. Gentlemen opposite always cheered that statement; and they always endeavoured to make the outlay greater. The advantage of this outlay would be shared by those officers in the Army who were relieved from the burdens to which the purchase system now unjustly subjected them. Were they purchase officers, their position would be improved, because when they rose to a higher rank they would not be called upon to meet the outlay of a large sum in order to obtain it. Were they non-purchase officers, then they would acquire higher rank without being superseded by others who bought over them. The Government, therefore, naturally believed that there would not be any necessity for the limitation, and they were glad to have the opportunity of withdrawing it. They believed that the Estimate of £600,000 was a sufficient estimate, and that was his answer to the question of the right hon. Gentleman.

SIR HENRY SELWIN-IBBETSON said, they were proceeding under Clause 5 to make an indefinite expenditure as to which they had no information. The Committee ought to be furnished with some idea of the outlay to which they were committed.

COLONEL C. H. LINDSAY said, he thought the taxpayer was not the person who should pay for the abolition of purchase. The money ought to be paid out of the Consolidated Fund, or the National Debt might very well be increased upon a national question like this. The taxpayer did not care one straw whether the officers in the Army bought or did not buy their commissions.

COLONEL STUART KNOX said, the officers only wanted justice, but the Government made no concessions to them, and had only given way upon a point suggested by the hon. and gallant Gentleman (Colonel Sykes), who was perfectly contented in consequence. If, as the Secretary for War had just stated, officers in future would not be superseded by other officers, what then became of the system of selection?

MR. CARDWELL: Of course, I meant superseded by purchase.

MR. VERNON HARCOURT said, they were now considering a clause which provided that all expenditure incurred by the Commissioners should be defrayed out of means provided by Parliament. He (Mr. V. Harcourt) was very much disposed to agree with hon. Gentlemen opposite, who thought Paliament ought not to pay, though he was surprised at the quarter from which the movement came. The hon. and gallant Member for Abingdon (Colonel C. H. Lindsay) said that the taxpayers ought not to pay this money. Well, they had had a great deal of military finance; but if the hon. and gallant Member could produce a scheme by which £9,000,000 was to be paid without taking it out of the pocket of the taxpayer, he (Mr. V. Harcourt) would promise him his support.

COLONEL C. H. LINDSAY: From somebody else.

MR. VERNON HARCOURT said, when they had the scheme of the hon. and gallant Gentleman opposite they would know how this £8,000,000 or £9,000,000 were to be raised without going to the pockets of the taxpayers.

COLONEL C. H. LINDSAY: It should be got from some other source.

MR. VERNON HARCOURT said, he must challenge the hon. and gallant Member with having a scheme in the background which he would not develop. He (Mr. V. Harcourt) thought the clause before them was the one clause which would have led to no opposition, and he wished to know whether they did not want the moneys to be provided by Parliament?

MR. HUNT said, with regard to what had fallen from the hon. and learned Gentleman (Mr. V. Harcourt), they might be quite willing that the taxpayers should find this money, and he did not know who else was to do so. At the same time, it was a question whether the particular form of words should be employed. The words employed were those usually adopted when money was to be raised by annual Votes of Parliament, and therefore unless it was likely that these expenses would not be spread over a number of years, it would be advisable that an Amendment should be made.

COLONEL ANSON said, he thought that part of the expense ought to fall on those hon. Members who went stumping the country last autumn, and on the large constituencies who had accepted their views. He would also throw a considerable amount of the cost upon those gentlemen in the War Office who, about the latter end of January, in default of producing anything, thought the most popular thing they could do would be to destroy everything we had got. As he stated last evening, the success of the scheme would depend on the confidence the officers of the Army had in it, as should there be a rush to sell out, there would be an inevitable increase in the expenditure, and he (Colonel Anson) wanted to know why the taxpayers of the country should be forced to pay £1,200,000 for the abolition of purchase. One of the chief arguments put before the country for the abolition of purchase was that it would reduce the cost of the Army. If that were so, the persons who in the future would be relieved of taxation ought to pay some portion of the cost of the abolition of purchase. The expense should be spread equally over a certain number of years.

MR. HERMON remarked on the injustice of what fell from the Secretary of State for War, who said a cheer was always raised on that—the Conservative—side when anyone deprecated the large expense that was being entailed on the country. Now, hon. Gentlemen on the other side of the House had quite as much objection to the system of purchase when there was no plan before them. The question of the re-organization of the Army was one for the Executive, and he had endeavoured to look on this matter not as one of pounds, shillings, and pence, and had only asked himself whether the plan produced by the Government would benefit the country. Nobody knew how much expense they were now entailing on themselves. He was not inclined to throw any burdens on posterity; but he felt satisfied that before they embarked in an expenditure of this nature they should be satisfied they were getting the value for their money in the shape of a good scheme which would improve our position as a nation, and render the fighting portion of the Army more efficient, in which case the question of expense would be a secondary matter in the eyes of the country. He had voted with the Government on two or three occasions when he could conscientiously do so; but it was a serious matter to vote for a system involving large outlay when the Government had never laid any plan before them, or given an accurate idea of what the expense would be.

Colonel SYKES said, he thought it was incredible that, after Parliament had decided to abolish purchase, they should now be asking how was the money to be provided? Who had decided to do this? Parliament, and Parliament must provide the money. With regard to selection, he thought it would be a good thing if his right hon. Friend the Secretary of State for War would only say distinctly what he meant, and remove at once all ambiguity. Every regiment would by-and-by become a non-purchase regiment, and the officers should rise by seniority; for he (Colonel Sykes) could not believe that the right hon. Gentleman intended men should come into one regiment from another and pass over men's heads, destroying the regimental system. When officers arrived at the rank of major, then the working of selection might come in. In the Indian Army, up to the rank of major, promotion went always by regimental seniority, and afterwards went in a Line seniority list.

Sir JOHN PAKINGTON: I wish before this clause is passed to be allowed to say a few words. I think the hon. and learned Gentleman the Member for Oxford (Mr. V. Harcourt) will agree with me, that, important as the Bill before us is, this little clause is the most important portion of the whole Bill. We have just passed the 3rd Clause of this Bill, and we have been told at considerable length how the claims of officers in Her Majesty's service will be dealt with. But, Sir, I venture to think that having told so much that interests the officers my right hon. Friend ought to think of the interests of the public. We ought now to consider what are the interests of the public in this question. And, Sir, I heard with regret what fell from the Secretary of State for War, when he forgot for a moment his usual suavity of manner, and told us on this side we had done what we could to make this Bill more expensive. That is a very unjust imputation, and I do not think it is an imputation that the right hon. Gentleman can fairly and reasonably substantiate. On the contrary, I appeal to the House whether the language of those who object to this Bill has not uniformly been directed against its extravagant expensiveness? We have again and again raised the question—and I hope we shall repeatedly raise again the question—whether the changes you are about to make are worth the money you are about to pay for them; and it is on this question we can get no satisfactory answer from the Government. What is the expense about to be? Is it not right that the public should be enlightened on this question? Is it not right that we, the representatives of the people, should know that the changes that are to be made, and should be able to say whether or not they are worth paying so large a price for them? What is the price? The Government tell us that the commissions of officers in purchase regiments will cost about £8,000,000. That is a pretty large outlay to begin with. What will be the next item in this expenditure? That is the point on which Her Majesty's Government are so reticent. You have before you two alternatives—one is that you should have your regiments filled with old decaying officers; or that you should enable officers to retire. The Government will not tell us what their plan of retirement is. But those who have gone into calculations on the subject have come to the conclusion—the correctness of which I have no reason to doubt—that the amount of money that will be necessary will be no less than £1,200,000 a-year. That is the general calculation of what must be added to the Army Estimates every year. That sum capitalized amounts to £25,000,000 or £30,000,000, and all that is to be thrown on the people. That is a most serious consideration, and I think it has been rendered not less serious by the answer given to my noble Friend behind me (Lord Garlies). The answer my noble Friend (Lord Garlies) received to his Question this afternoon, from the right hon. Gentleman the Chancellor of the Exchequer, whether the calculation of the Government was not that the cost would be £800,000 a-year, was evasive and unsatisfactory. There is a general opinion on this side of the House that the Question was not fairly answered, and I hope that on Thursday, when my noble Friend intends to renew his Question, a better answer will be given. If the Bill should pass and become law, it is a serious question whether the pay of the officers of the Army must not be raised. If you revolutionize the British Army, as you are going to do, and effect a complete change in the mode of officering it, it will be impossible for the officers of the Army to live on the pittance they will receive. This being so, I confess it was with extreme regret I heard one or two hon. Members of the House, who are opposed to the abolition of purchase, state that it was their belief that the purchase system was doomed, and that it had been condemned by Parliament. I hold that no man has a right to hold such language upon a question of this magnitude until Parliament has come to a decision upon it. And let me tell the hon. and gallant Member for Aberdeen (Colonel Sykes) that he takes rather a more limited view of what is the British Parliament than we do. He considers it has been sanctioned by Parliament. [Colonel Sykes: Hear, hear.] I say it has not. It has many more stages to go through before any hon. Gentleman can say it has received the sanction of Parliament. If the Government really think their plan worth all this money, why do they not tell us what it is? Questions have been put to them on this point time after time; but we can get nothing but vague answers. Yesterday evening the right hon. Gentleman the Prime Minister and the Secretary of State for War spoke. But what did they say? The whole tenor of their answer was *sic volo, sic jubeo*. We have been told that purchase meets the right hon. Gentleman the Secretary for War at every turn in dealing with the Army. I have asked him several times, and I will ask him again now, will he tell us what these turns are? Hon. and right hon. Gentlemen in this House generally put forth what they deem their strongest case when advocating any measure. And what was the case of my right hon. Friend? Why, the old story about cornets and ensigns—a case which is disposed of in a single sentence. If you want to do away with cornets and ensigns you have only to ask Parliament for the money. They were saddling the country with millions of expenditure, and refusing to tell them in what respect the Army was to be better constituted or better conducted than it had been for the last two centuries. We ask the Government to give us a better reason than they have hitherto put forward for the course they propose to take. I must deny that either the Opposition, or hon. Members on the other side, have been open to the censure which the right hon. Gentleman opposite has passed upon them. He seems to think that the fault is entirely on one side and that the conduct of the Government is perfectly free from blame. But I think we have great cause to complain of the conduct of the Government—and we have not yet done complaining—on the ground that while they call upon the country to make this great sacrifice they refuse to give us the information which it is their duty to impart; and we must repeat, until we get that information, that they have not treated the House of Commons with that frankness, respect, and candour to which it is entitled. The other day the right hon. Gentleman complained that the majority of this House was not allowed to prevail, and he said that if it did not prevail, it would be better to close the doors of this House. I do not deny that as a general proposition; but I think a condition attaches to it—namely, that the majority ought to be in earnest. We all remember the discussions on the Irish Church Bill. Both sides of this House were in earnest then. Never was an opposition more seriously or vigorously conducted, but the majority prevailed without difficulty. Why do they not prevail now? Because the majority do not like the Bill. As I said before, I do not believe there are 20 Members in this House who really approve of this Bill. Everybody dislikes the Bill. This House dislikes it; the Army dislikes it; and the public dislike it. ["Hear, hear!"] At any rate, if they do not know much about the Bill, they very much dislike the income tax. I wish to ask the Government whether they are quite secure that when this Bill is passed, purchase will really be at an end? Are they sure the bonus system will not exist; or that purchase in a more objectionable shape will not take the place of the present plan?

I very much doubt the power of the Government to prevent it, unless they adopt the most unpopular and odious system of selection to the extent of applying it to every rank in the Army. I believe you will find in a short time that there will be a secret purchase system; so that you are very likely to injure your Army, saddle the country with an enormous burden, and exchange a system which has worked well for one that has not. I desire before I sit down to ask the right hon. Gentleman whether, when this clause is passed, and we have arrived at the end of this portion of the Bill, relating to purchase, he will consent to report Progress, and reprint the Bill in order that we may be able to judge of the shape it will eventually assume, and really know what the Bill is.

THE CHANCELLOR OF THE EXCHEQUER: I was called out of the House just now; but I am informed that the right hon. Gentleman the Member for Droitwich (Sir John Pakington) has been kind enough to say that the answer I gave the noble Lord opposite (Lord Garlies) was evasive and unsatisfactory. The Question the noble Lord asked was, whether an estimate of the probable cost of a retirement scheme had been drawn up, and whether I would lay it on the Table? My answer was that no such document had been drawn up in my office, and that I had ascertained from the right hon. Gentleman the Secretary of State for War that no such document had been drawn up in his office, and therefore I could not lay it on the Table. Now, I shall be very much obliged to the right hon. Gentleman if he will tell me in what way my answer can accurately be described as being either evasive or unsatisfactory?

SIR JOHN PAKINGTON: I have no objection to answer the question of the right hon. Gentleman. If he had given to my noble Friend the answer which he has now given to me, I should have found no fault with it. But his answer was given in very different language, and in such a tone that I believe I speak the unanimous opinion of my Friends around me, when I say that they think the noble Lord had much reason to complain of the manner in which his Question was answered.

THE CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman does not answer my question. I did not ask his opinion as to my manner, or the tone of the answer, but in what respect it was either evasive or unsatisfactory. I defy the right hon. Gentleman to make any statement of my words tallying with the recollection of those who sit on this side of the House which will bear that construction.

COLONEL BARTTELOT said, he would ask whether the hon. Member for Stroud and other Members of the Committee were precluded from making Amendments upon this clause?

THE CHAIRMAN replied that it was the well-known Rule of Committees that after the Question was put "That the clause stand part of the Bill," no Amendment upon it could be moved, unless it were the pleasure of the Committee that the Question should be withdrawn, and it could only be withdrawn on the proposition of the Member in charge of the Bill. The Amendment of the hon. Member for Stroud (Mr. Dickinson) could not be proposed from the Chair, because it was not in accordance with the preliminary Resolution which authorized the Committee to make provision for the expenses of the Bill.

COLONEL BARTTELOT said, that under those circumstances, he begged to draw the attention of the Committee to the burden which this clause would impose upon the British taxpayer, and expressed the objection he felt to a sum being annually voted by that House for the purpose of carrying this scheme into effect. It was the duty of that House to see that any taxation imposed for this object should be as little onerous as possible, and therefore he begged to ask the right hon. Gentleman the Chancellor of the Exchequer what course he proposed to take in order to levy the taxation that this measure would render necessary? If the scheme of the hon. Member for Stroud had been considered, the burden might have been made less onerous.

COLONEL SYKES, in reference to an accusation made against him by the right hon. Baronet (Sir John Pakington), explained that when he said that Parliament had resolved that purchase should be abolished, of course he meant that the House of Commons, as representing the country, had come to that decision.

MAJOR GENERAL SIR PERCY HERBERT said, the hon. and gallant Member for Aberdeen (Colonel Sykes) took exception to the statement that the burden would fall upon the taxpayer; but it was evident that in whatever manner the expenses of this Bill were provided for, they must ultimately be defrayed out of money levied by additional taxation. The right hon. Gentleman the Secretary of State for War twitted hon. Members on that side of the House for the cheers they gave when any reference was made to unnecessary expense, and said they were inconsistent, because they had proposed to add to the cost of the Bill. But he overlooked the fact that he had failed to get rid of two objections to this measure—namely, that while, on the one hand, the country would gain nothing by the great expenditure which this measure would involve, on the other hand, the measure did not deal honestly towards officers on the subject of abolition of purchase, and proposed to pay them a composition of 10*s*. or 15*s*. instead of 20*s*. in the pound. Before they left the discussion of this measure, he thought the right hon. Gentleman should furnish them with the grounds of his estimate of £8,000,000, and with a statement showing how that sum was to be expended. It was said that purchase met them at every turn; but he should like to have some proof of that, for it was evident that purchase could not affect such arrangements as the three years' enlistment, and the depriving of Lords Lieutenant of the power of nominations, or the portions of the Bill relating to the Militia.

SIR JAMES ELPHINSTONE said, he was of opinion that this important clause should not be disposed of in a summary way. His constituents were pressing him to obstruct this Bill in every possible way, for they considered that the Army had hitherto been well officered and efficient, and that as the aristocracy of this country found it for their benefit to pay for the privilege of serving their country, the constituencies were relieved from such charges as would be thrown upon them by this Bill. As trustees of public money they could not conscientiously sanction a measure of which the financial details were hidden in obscurity. They had to provide for the extinction of purchase and the transference of the Army from a profession to a trade. They would have to pay their officers better when they had removed every inducement which attracted to the Army the sons of monied men and of the aristocracy. ["Hear, hear!"] The aristocracy of money was represented in the Army equally with the aristocracy of birth, and it would be a loss to the Commonwealth if the sons of monied men were deprived of such a safety-valve as the Army. No doubt in the next half century colossal fortunes would be made by men of honesty and perseverance; yet their sons would be unable to enter a profession which brought them on a level with the society to which their parents had raised themselves. If the Committee were to grapple with this subject as a whole they must have an estimate. Otherwise the question would be left like the Maynooth Grant, to be brought forward year after year, and treated as a football for travelling showmen who went round the country. Those politicians who, in the manner of itinerant showmen exhibiting a double-headed woman or a pig-faced lady, perambulated the country for the purpose of creating excitement, would be sure to seize upon this question if it were left in an incomplete condition. He had taken the trouble of going through the Amendments, and so far from there having been any obstruction of an unnecessary nature, relatively speaking, from that side of the House, he found that the Amendments on the Paper were 54 Amendments from that side of the House, as against 35 from the other side. He could not see how the right hon. Gentleman at the head of Her Majesty's Government could charge the Conservative side of the House with obstructing the measure. They were there to guard the interests of the country, and were bound to consider a question which altered the whole defences of the country, and overthrew a system which, though parts of it could not be defended, had worked as well as any system could work.

MR. GRAVES said, he had hitherto abstained from taking part in the discussion, because, as a representative of a commercial constituency, he could not pretend to any professional knowledge of the subject. He had waited for the stage when the measure might be discussed on financial grounds. That stage had now arrived. He could not, however, see that any practical result would be attained by a discussion of Clause 5, because he presumed, even if the clause were negatived, Her Majesty's Government would be just as well able to carry the preceding clauses into effect. It would be, therefore, better to defer the discussion on the financial portion of the scheme, which they were only now beginning to touch. He wished, however, now to state that he would take an early opportunity, whether on the Report or the third reading, to raise the whole financial question.

Mr. G. BENTINCK said, that because the right hon. Gentleman the Secretary of State for War had refused to furnish the House with a calculation of the probable cost of the measure, many hon. Members of the House had endeavoured to go into the question of the probable cost of the scheme. He had done so himself, and on a former occasion had brought forward his figures in no spirit of party or of hostility to the Bill. The question was what, according to the estimate of the Government, would be the probable cost, and, in his opinion, it was the duty of hon. Members of that House not to vote in support of any measure, the probable cost of which had not been distinctly ascertained. To make short work of it, he would move to report Progress, and he trusted that Motion would be persevered in until the Government chose to furnish the House with the estimated cost of the measure.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Bentinck.*)

Mr. ASSHETON CROSS said, he must express his pleasure at the Notice given by the hon. Member for Liverpool (Mr. Graves). He had himself, some time ago, ventured to raise the financial question. At that time the country was not as fully aware of the cost of the abolition of purchase as it was now, and if the people had then the expense before them they would have thought twice before allowing their representatives to vote as they had done on the several questions that had come before the Committee. The country thought that the money to be expended was not simply for the abolition of purchase, but in order to place the whole military force of the country in such a position that we might look forward fearlessly, no matter from what quarter threats might come. But now that the Bill had been cut in two, and that the primary object for which it had been introduced had been abandoned, the Committee ought to have a full opportunity of discussing the measure simply on financial grounds. He would certainly support the Motion of the hon. Member for Liverpool at the proper time.

Mr. WHEELHOUSE said, that the abolition of purchase had never been thought worth a moment's consideration until the January of this year, when an hon. Member of this House thought fit to go down to Leeds among his (Mr. Wheelhouse's) constituents and make a speech to a very small audience in a very large hall. The original belief was, that the question was to be one of re-organization; but now it had been reduced simply to the question how much should be paid to abolish purchase. What he wanted was, that the taxpaying part of the community should be acquainted with what they had to pay. It had been said that those constituencies where persons had "stumped" should be made to pay the cost; but he begged leave to state that a very large proportion of his constituents were against the proposed measure. He knew he spoke with a strong commercial spirit as a representative of a great commercial constituency (Leeds); but it was precisely because he represented such a constituency that he felt it to be necessary that the House, and through it the people, should be made fully acquainted with the cost of retirement and with every phase of the question from beginning to end, since until that was done, the subject could not reasonably be expected to have any other eventuation than that of being unsatisfactory to every constituency which contributed, in any large measure, to the Imperial or local taxation of this country. To use a phrase that had become somewhat common of late, he (Mr. Wheelhouse) ventured to think that when the people were rendered fully aware of the fact, that the plan was to involve a cost of £1,000,000 or more for 10 years to come, without any apparent correlative advantage, they might come to the conclusion that, after all, "the game was not worth the candle."

Lord JOHN MANNERS said, now that the hon. Member for Liverpool (Mr. Graves) had given the Committee reason to believe that the financial aspect of this question would be raised in a few days, he would confine himself to the expression of a hope that Her Majesty's Government, in preparation for that debate, would feel able and disposed to place clearly before the House the total cost at which they estimated this great scheme not only with reference to the abolition of purchase, but also to those ulterior measures which must form portions of it. Secondly, he would express a hope that Her Majesty's Government would clearly explain not the theoretical, but the practical advantages in the re-organization and increased efficiency of our forces, which they confidently expected to gain at the total cost which they should so submit to the consideration of the House. And, thirdly, he would express a hope that when Her Majesty's Government should have clearly placed those two aspects of the question before the House, they should then, for the first time, have from the professed economists of the House their deliberate opinion whether the practical results which Her Majesty's Government confidently expected to gain would be worth the cost and burden so to be imposed upon the country.

MR. FIELDEN said, he would suggest the postponement of the clause for the present, and would observe that he had heard with great pleasure the announcement of his hon. Friend the Member for Liverpool (Mr. Graves). Though no doubt, theoretically, it was impossible to defend the purchase system, it was a question for their constituents, and one upon which it was fit to go to the country, whether, it being in existence, its abolition was worth the sum required for that purpose?

Question put.

The Committee *divided:*—Ayes 131; Noes 245: Majority 114.

MR. CONOLLY said, he had hoped that on so grave a question, affecting the future of the Army of Great Britain, the Government would have conciliated the officers. On the contrary, from the beginning to the end, not a single suggestion made from his side of the House on behalf of the officers had been listened to. This Bill went to the very root of the organization of the British Army, not for the purpose of improving, but of destroying it. That, in his opinion, was the effect of the Bill, which offered even too large a compensation to officers withdrawing from the service, and did not adequately meet the just demands of those who remained. He was not disposed to accept the Bill as it stood, for he believed that it would tend to the destruction of the Army.

SIR JOHN PAKINGTON said, he conceived there existed some misapprehension as to the effect of the present clause. Some hon. Members were under the impression that it committed the House to an unlimited expenditure; but all the clause did was to point out the mode in which the expenditure should be defrayed.

MR. VERNON HARCOURT said, that the clause only provided that Parliament was to raise the money; and if in any future Session it should be thought preferable to raise the money by loan that method could be adopted.

LORD ELCHO said, that, practically, by means of the present clause, purchase would be abolished and compensation given; and by now passing the clause hon. Members who could not command a majority on the Report of the Bill, or on the third reading, did, to a great extent, lose control over the matter. He protested against voting an unknown expenditure for an unknown result; and when it was stated that the scheme would cost £30,000,000 or £40,000,000, what was meant was that, in addition to the £8,000,000 or £10,000,000 the country would now have to pay, it must also make up its mind to pay a certain sum to induce officers to retire. The retirement had hitherto been paid for by the officers alone, and a surplus had been bagged by the Government for the Reserve Fund; but in future the money must come out of the pockets of the taxpayers. He defied the Prime Minister, who was now shaking his head in a most determined manner, to point out that he was wrong; and the House had a right, in consequence of that shaking of the Prime Minister's head, to a clear explanation showing that the statement was wrong that a large sum of money for retirement would in future have to come out of the pockets of people who now paid nothing for it. The Government called on the House to embark on this new expenditure for unknown results. He was against going on reporting Progress; let them be satisfied with the protest they had entered; and he hoped the facts of the case would sink deep into the minds of the people, and especially of the constituents of the economists—hon. Gentlemen who were trying to "square" it with their constituents by repudiating their political debts of honour. ["Oh, oh!"] The hon. and learned Member for Oxford knew what he meant. [Mr. VERNON HARCOURT: Debts of dishonour.] He could not detain the Committee by going into that; he was referring to the over-regulation prices; and if the Government did not think these were debts of honour, they were not justified in asking the House to pay them. As the constituencies got to know more and more of the truth of that matter, hon. Gentlemen opposite would find it very difficult to "square" it with them on the hustings; and he hoped it would always be remembered that the Government were embarking the country in an unknown expenditure for the sake of wholly unknown results.

Clause *agreed to.*

PART II.—*Army Enlistment.*

Clause 6 (Rules as to enlistment).

SIR JOHN PAKINGTON said, he would suggest that inasmuch as very extensive changes had been made in the second part of the Bill, the right hon. Gentleman the Secretary for War should, before proceeding further, furnish hon. Members with a printed statement of the clauses which he intended to retain, in order that they might have a full opportunity of re-considering them in their amended form.

MR. CARDWELL said, with regard to Clause 6, considering the number of Amendments which were on the Paper, he proposed to omit it for the present, and to proceed with Clause 7 instead.

COLONEL ANSON said, with respect to the clause in question, there was an important Amendment on the Paper by the hon. Member for Finsbury (Mr. W. M. Torrens), relating to the whole question of recruiting for our Army. He therefore hoped that the Government would consent to the Chairman reporting Progress, in order that the subject referred to might be brought on the first thing on Thursday; for that purpose, therefore, he would move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Colonel Anson.*)

MR. CARDWELL said, the clauses of which he had given Notice he intended to propose omitting from the Bill were Clauses 6, 9, 11, 12, 13, 14, 20, 21, 22, 23, 24, 28, 29, 30, 31, 33, and 34. He now simply proposed to postpone Clause 6 and to proceed with Clause 7. He did not believe there was ever an occasion in which a similar course was objected to by the House.

LORD JOHN MANNERS said, the difficulty in the matter was this—the 6th clause was in reality the 1st clause, which dealt practically with the organization of the Army. It appeared to him that this mode of proceeding was rather sharp practice on the part of the Government, for they could not expect hon. Gentlemen to keep in their memories the long string of clauses which the right hon. Gentleman the Secretary of State for War wished to omit or retain—he (Lord John Manners) could not say exactly which.

MR. CARDWELL said, he was much gratified at seeing the great interest taken by the noble Lord in those clauses. He (Mr. Cardwell) should be glad to see Clause 6 adopted, although its effect would be only to add to the powers given by the Act of last Session. Seeing, however, the number of Amendments on the Paper to that clause, he should simply move that it be postponed.

Question, "That the Committee do report Progress," put.

The Committee *divided:*—Ayes 149; Noes 243: Majority 94.

MR. CARDWELL said, that in order that the remainder of the Morning Sitting might be devoted to real business, he should move that this clause be postponed.

MR. W. M. TORRENS said, he had communicated his intentions with perfect frankness to the right hon. Gentleman the Secretary for War, and was ready to adopt any course that might suit the convenience of the House, his only object being to secure a discussion of one of the most essential principles involved in the Bill, and that which directly affected the civilian class. An opportunity should be given for an expression of opinion against that part of the Bill being wholly abandoned without their denying the right of the Government to withdraw any part of their Bill on stating fair reasons for so doing. Some reciprocity ought to be observed in these matters, and there were many hon. Members on that (the Ministerial) side of the House who had not offered the slightest obstruction to the progress of the measure, yet felt so little confidence in it that they were unable to support the Government. Three months had been given to discussions about the officers, and now he asked for one day to consider the rank and file, as to which it would appear that his right hon. Friend had changed his mind since he introduced his measure. The interests of 190,000 men were at stake.

MR. GLADSTONE said, that his hon. Friend (Mr. W. M. Torrens) had made a very fair proposal, and he had undertaken to consent to any course that would give him the opportunity of taking the opinion of the House upon the subject referred to. But there was another question, and one of an invidious and unusual character, involved in this opposition to the withdrawal of the 6th clause. He remembered no instance in which, when the Government wished to withdraw a portion of a Bill, permission was refused, because that would lead to this practice—that the Committee would be engaged in discussing Amendments on clauses which the Government had no intention to press. The omission of the 6th clause would not prevent his hon. Friend from bringing the subject of recruiting forward in a separate form.

MR. DISRAELI said, that he could give the right hon. Gentleman the Prime Minister a precedent for the course which the hon. Member for Finsbury (Mr. W. M. Torrens) now proposed to take. The right hon. Gentleman had himself furnished the precedent. In the course of the debates on the Reform Bill of 1867, and when there was some talk of withdrawing a portion of it, the right hon. Gentleman dissented, saying that the Bill was in the possession of the House, and that he should insist upon its right to deal with it as it pleased. However, it happened that the right hon. Gentleman was in a minority on that occasion. Hon. Members were greatly embarrassed by the mode in which the Government were conducting this Bill. Now, he believed that there was no subject in which the country felt more interest than the subject of enlistment. It ought to have been brought under the attention of the House long ago; and more than one hon. Gentleman of position and influence had consulted him as to the best method of doing so. But he had always felt that while the Bill was before the House, and while the Amendment of the hon. Member for Finsbury was on the Paper, it was unnecessary to force a discussion on the subject, or to ask the Government to set aside a day for it, as the opportunity would be afforded in the natural progress of Business. But by the course now adopted by the Government that opportunity was lost, and they were prevented from discussing the matter, and placed in an absurd position on a subject of vital interest; for not the slightest allusion had been made in the House to one of the principal subjects on which the country desired to know the opinions of its Representatives. It seemed to him that the Committee had the right to expect that the Government should now place before them, in a clear and distinct manner, their views as to such portions of the Bill as were to be persevered with, and that it should not be asked to postpone this particular clause or to omit that one without any reference to the whole scheme of the Government. He could see no reason why this request should be refused; and though he had never sanctioned the use of Motions for reporting Progress as instruments of delay, and had not approved of the last Motion to that effect, it really appeared to him that they were now in a position in which they had the right to appeal to the forms of the House to protect them.

MR. GLADSTONE said, there was no practical difference of opinion between them as to the latter part of the speech of the right hon. Gentleman. Though he should regret the loss even of the half-hour that remained of the Sitting, he should not prolong the contest if hon. Gentlemen opposite were determined to prevent further progress being made with the Bill. As to the request that the Bill should be re-printed, the Secretary for War had already entered into an engagement that that should be done. With respect, however, to another matter, he must dispute the recollection of the right hon. Gentleman, and deny that there was any precedent for considering in detail a portion of a Bill which the Government wished to withdraw, and he challenged him to prove that that course was taken on the Reform Bill in 1867. In his opinion, the statement of the right hon. Gentleman was totally inaccurate from beginning to end. A proposal was made to the House for an Amendment in the Reform Bill of the right hon. Gentleman. If his memory served him right, the right hon. Gentleman said that if that proposal were carried the Government must re-consider their position with reference to the Bill—distinctly intimating that they might think it their duty not to persevere with the Bill. Upon that he (Mr. Gladstone) rose in his place and said the House had then reached an advanced stage of the Bill, that the Bill had been moulded by the House, and that if the Government chose to decline to carry the Bill onwards, the Bill would be the property of the House, and the House would be entitled to proceed with the Bill. That was a matter entirely different from and had no relation to the subject now before the House. The Government did not propose to abandon this Bill. They did not propose to abandon those which were deemed to be the vital parts of the Bill, and the objection taken by himself was not such an objection as was taken by the right hon. Gentleman. The Government intended to ask the Committee to negative one of these clauses; but the right hon. Gentleman wished that a series of Amendments upon it should first be discussed in detail. The clause itself might be negatived. Could anything be more unsatisfactory than the course proposed by the right Gentleman? Would it be possible for the Government to enter into a consideration of Amendments upon a clause which the Government were predetermined, if they had the power, to reject it?

Mr. LIDDELL said, he had always understood—and he was confirmed in that understanding by what had just fallen from the Prime Minister—that when a Bill, or any portion of a Bill, was laid before the House, it was the property of the House. The Government had laid a Bill on the Table, and now they announced their intention of omitting certain clauses which the majority of hon. Members thought were the most important clauses in the Bill. He hoped his right hon. Friend the Member for Buckinghamshire would maintain the position he had taken up.

Mr. GATHORNE HARDY said, if the important question of enlistment was to be argued out, he did not see why it should not be argued on this clause.

Lord ELCHO said, the Government to-day were acting inconsistently with the course they took yesterday. He held that this clause which the Government wished to withdraw or to have negatived would, as it stood, simply increase the destructive powers of the right hon. Gentleman the Secretary of State, and those powers were sufficiently given by Clause 1, which the Committee had already passed. But the question of the men in the Army was the main thing after all, and he wanted, if possible, to prevent the disorganization of the men. It was possible that if this clause were retained, his hon. Friend opposite the Member for Finsbury (Mr. W. M. Torrens) might introduce some Amendment which would prevent boys of 16, 18, or 19, from being sent out, as now, to rot in the colonies and in India.

Mr. CARDWELL said, that when the noble Lord talked of inconsistency, he would recommend him to refer to that speech which lasted two or three hours, on the second reading of the Bill, in which the noble Lord pointed out, most elaborately, that the Bill had little or nothing in it except the purchase clause. But this afternoon and last night this clause that the Government proposed to withdraw had become of paramount importance, and far more important than the purchase clause. The noble Lord knew as well as he (Mr. Cardwell) did that what the Government were endeavouring to do was to facilitate the Business of the House. The noble Lord had just stated that he had the greatest possible objection to this clause, and yet he objected to its withdrawal. If his hon. Friend the Member for Finsbury (Mr. W. M. Torrens) wished to bring forward his proposal about enlistment, he could obtain an opportunity of doing so at another time. Upon those who impeded the attempt of the Government to facilitate the progress of Public Business would rest all the responsibility of stopping it.

Major General Sir PERCY HERBERT said, he thought the Secretary of State ought to inform the Committee what were the views of the Government upon the subject of the clause which they wished to withdraw, for at present everybody was dissatisfied with the system of recruiting.

Mr. COLLINS said, the Committee were in a difficulty by the fault of the Government. At the same time, he did not see how the Government could have taken any other course, after the peculiar opposition offered to the Bill. The regular course would be to re-commit the Bill *pro formâ*, in order that it might be reprinted; but if they did, the Opposition would insist on their right of debating all the clauses again. It would be unfair to the hon. Member opposite (Mr. W. M. Torrens) to proceed now, and he therefore moved that the Chairman report Progress.

SIR ROUNDELL PALMER said, as he understood they were about to assent to the adjournment of the discussion, he would not be wasting time if he were to lay before the Committee some of the impressions which this and other scenes of the same kind which he had witnessed had made upon the mind of one, who, without pretending to have any claim to be heard in the discussion of purely military questions, was a very great well-wisher of the Army, of the honour of the country and the credit of Parliament. The Government had introduced this Bill, desiring that all the parts of it—the clauses which they now proposed to withdraw and the other clauses—should be debated upon their merits and considered in due course by the House. What was the reason why now, upon the 13th of June, that could not be done? He did not hesitate to say that it was because a course had been taken which he never remembered anything like before. They had had other great measures discussed in that House, and other great interests involved. Two years ago they had the question of the Irish Church. People felt very keenly and deeply on that question, and yet they went into the discussion in Committee upon each particular clause *bonâ fide*, and simply with reference to the merits and character of the matters involved, and they did not consume time for the sake of preventing the measure from being carried by a majority. Again, last year another question, certainly as trying as any possibly could be where great interests were concerned and great principles involved—the question of the Irish land—was before the House, and though there were most numerous Amendments, and most anxious questions discussed, yet the House, and particularly those hon. Gentlemen opposite whose interests were affected, and who were apprehensive of serious evils from the Bill, did themselves, in the estimation of the House and the country, infinite honour by the practical, business-like manner in which they went into the details. They recognized on those occasions the duty of above all things respecting the principles of Parliamentary Government, and not conducting the opposition to that Bill or any other Bill, however great its importance, in a manner which might set the example of disorder and confusion in that House, and prevent the majority from having its due power and influence upon that or any other occasion on which there might be anything like a powerful minority. What was the appearance of what was going on now?—he would not say the intention, though it looked decidedly like the intention of consuming time as it had been already consumed in the debates over and over again. What he was contending for, was the principle of Parliamentary Government—that the decision of the majority of that House must be acquiesced in and submitted to. But what was the appearance of the present state of things? The right hon. Gentleman the Secretary of State for War, simply because he was in danger of being beaten by time, proposed to withdraw clauses which otherwise he was desirous to carry. To these clauses there were a great number of Notices of Amendments, and it looked as if the tactics of those who had hitherto caused so much delay, were again about to be brought into play. To insist that every one of those clauses should be brought forward in its turn, in order that the Amendments might be considered and decided upon when the Government abandoned the clauses altogether, must be merely to consume time without any useful result. The noble Lord (Lord Elcho) considered the clauses very objectionable as they stood; and yet they were to be brought forward merely for the purpose of discussing in detail numberless Amendments which would consume time and end in the rejection of the Bill. He did not know what the intention might be; but of this he was perfectly sure—that it was neither in the interest of the Army, nor of the officers of the Army, nor of Conservative principles, nor of the party opposite, for whom he, for his own part, had a most sincere respect, that this course should be pursued upon that or any other occasion.

LORD CLAUD HAMILTON said, he must express his surprise that a Gentleman for whose abilities and talents he had so great a respect should have fallen into so great an error. This clause in itself involved a most important subject—the recruiting of the Army; and the question was, whether the Government were to be allowed to withdraw it from the House in that manner. He utterly disclaimed the idea of standing in the way of the Bill; he had never opened his lips on the questions that had been before the House; but in this subject of the recruiting of our Army he took the deepest interest.

MAJOR DICKSON said, that this clause was nothing more than a repetition of the Bill of last year, which had the most disastrous effect, and he and those who thought with him were most anxious for an opportunity of amending it.

Committee report Progress; to sit again upon *Thursday* next.

And it being now ten minutes to Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

NAVY—NAVAL CADETS.—RESOLUTION.

MR. T. BRASSEY rose to call attention to the Report of a Committee on the Education of Naval Officers recently presented to Parliament, and to move—

> "That it is expedient to adopt the recommendations of the Committee appointed by the Admiralty as to the training of Naval Cadets."

He said the House had been engaged last week in a discussion with reference to the manning of the Navy, and he would venture to hope that the Motion which stood in his name, referring to the education of our naval officers, might be regarded as having some interest to the House, in connection with the manning of the Navy; because certain it was that, to provide reserves of seamen without providing competent officers to command those reserves, in case of their being called on to take active service, would be an act of neglect which would be dangerous in a great national emergency. During the last 20 years, all the circumstances of sea life in the Navy had greatly changed; for instance, steam had been universally applied as a motive power to vessels of war. Naval gunnery had become more complicated, and therefore greater accuracy in mastering the details of gun drill was necessary. The science of Naval architecture had undergone a complete revolution, as a consequence of which the Navy presented to young beginners a new feature of study in the shape of iron-clad vessels of innumerable types. All these considerations pointed to the necessity of reviewing the system of training our naval officers. Again, the general advance in the standard of education made it necessary that the Navy, as a great national service, should participate in the general progress; and in order to enable the Navy to hold its own with the other great professions, more complete and general education should be obtained by naval officers than they had the opportunity of acquiring under the existing regulations. In order that naval officers should have advantage of this superior education, it was necessary to extend the time for the admission of naval cadets into the service; and he suggested that the age of 16 was not too advanced an age for the admission of naval cadets. He thought a natural consequence of such an extension of the time would be that the young cadet would be able to participate in the inestimable advantages of a public school education. In the evidence given before the Naval Commission of 1859, Admiral Mends gave strong testimony in favour of such training; and Captain Harris, who had been in command of the *St. Vincent*, the principal training ship for boys at Portsmouth, stated that the age of 17 was the best age at which to admit lads into the Navy to be trained as men-of-war's men. He might add that the Commission on Military Education had recently reported that 17 was the age at which professional aptitude was most readily acquired. If the agility aloft, and the seamanlike qualities required in the blue-jackets of the Navy, could be best acquired by lads entering the service at the age of 17, *à fortiori* that age would not be too advanced for the admission of young men who were to be educated as naval officers. By the present system, midshipmen were expected to do duty as officers before their education was complete. Now, that involved many inconveniences. For example, Sir Charles Napier pointed out to the Commission of 1859 that, under the existing system, it was often necessary to send away a very young officer in charge of a boat manned by seamen much more experienced than himself; and this Sir Charles had always felt to be an objection, as it often led to the young officer finding fault with the men, and led to punishments which were very injurious to the efficiency of the service. The last Committee on the Education of Officers reported that there was a general incompatibility between the positions of an officer and a school-boy, which were attempted to be combined by our present system. This double duty made the progress of the naval cadet extremely unsatisfactory. Their duties as midshipmen prevented them from giving up the necessary time to acquire instruction. In the Channel Fleet, as was shown by a recent Return, the maximum instruction to cadets was eight hours, and the minimum instruction was two hours a-week, so that it was impossible for a boy to obtain much instruction on board ship. In foreign Navies the age of admission was fixed at a much more advanced age. In the United States Navy, the age was from 14 to 18 years; In the French, it was from 14 to 17 years; in the Russian it was from 15 to 18 years; while in ours, under the existing regulations, the age was from 12 to 13. The subsequent course of instruction was in the *Britannia* for two years, with one year's training in a sea-going training ship, so that at the age of 16 the midshipman began to do duty as a young officer. The Committee had reviewed the whole subject very carefully, and recommended that the period of special training in the stationary ship should be extended by one year, so that there would be three years' special training in the stationary ship, and in the last year the boys would go to sea to obtain experience in cruising. Assuming that no change could be made in the age of admission, the recommendations of the Committee were wise and judicious; but he regretted that they had not seen fit to recommend the more advanced age he had suggested, in order that young officers might not be deprived of the opportunity of pursuing their studies in the public schools of England. He thought the course of education was too exclusively mathematical, and that modern languages did not occupy a sufficiently prominent place. In the American Navy it had been found that modern languages were not inferior to mathematics as a means of mental culture. He would quote Professor Mayne, of the Naval College at Portsmouth, as an authority in favour of the more careful and complete study of the French language; Captain Goodenough had also adverted to the lamentable ignorance of the French language when the French and English squadrons were exchanging international courtesies in 1865, and expressed his deep regret that so little French was known by the officers of Her Majesty's Fleet. There were other practical studies which were too little attended to; and he might instance particularly the study of steam. In the United States service they had found in the protracted war with the Southern States that great disadvantage arose in the service from the inefficiency of the numerous engineers who were taken into employment in the Navy, and from the inability of the executive officer to correct the mistakes of the engineering staff. Profiting by that experience, the American naval authorities had introduced a practical course of steam for young officers. There was, indeed, a similar course at the Naval College at Portsmouth; but that was only open to officers of a higher grade. He hoped a like provision would be made for cadets during the period of their educational training. He would further refer to the recommendation of the Committee on the Education of Officers in favour of fitting out two brigs to be attached to the vessels of instruction, because he believed that they would prove to be most valuable schools of practical instruction. Admiral Sullivan, in an able memorandum on the subject, specially adverted to the failure to teach seamanship on board the *Bristol*, and expressed a hope that by employing small vessels in which the young gentlemen themselves could carry out nautical evolutions, they would thereby become better practical seamen. Another great advantage from attaching these brigs to the stationary vessels would be that the young officers would learn the pilotage of our own waters, to which these vessels would be necessarily confined. In confirmation of the suggestion which he had ventured to make, he would refer to a passage in the "Autobiography of Lord Nelson," in which the great captain stated that when he was a very young officer he was allowed to go in the cutter and the deck long-boat attached to the flag-ship at Chatham, and was constantly employed in navigating the North and South Channels of the Thames, and thus became familiar with the whole pilotage from London to the North Foreland, and to Harwich, and acquired a facility and nerve in navigating in narrow waters and dangerous rocks and shoals which he found in his subsequent career of inestimable advantage. Our iron-clad vessels had tended materially to diminish the cruising experience of the young officers of the Fleet; and he hoped that it might be found practicable to employ a greater number of vessels in the Mediterranean of a class that could be navigated under sail. In the American Navy such vessels were always employed on foreign stations in time of peace. This suggestion would, he thought, prevent the recurrence of similar cases to that mentioned by Captain Goodenough, of a midshipman who, having served four years on board one ship, had never seen that ship tacked under canvass. In a paper recently read at the United Service Institution, the deficiency of the education of naval officers in the present day in practical seamanship was clearly shown; and he believed that in the Cunard service there was a regulation that no officer could take the rank of master or chief officer unless he had previously served in a sailing vessel. If in the Mediterranean it should not be deemed advisable to substitute sailing frigates, with auxiliary steam power, like the steam clipper frigate of the United States Navy, still brigs might be attached to the squadrons to give the young officers experience in cruising under sail. Many eminent witnesses, who had given evidence before the Committee on the Education of Naval Officers expressed an opinion in favour of the abolition of the special class of navigating officers. Such a change, he believed, would exert a beneficial influence upon the general knowledge of navigation in the Navy. The Report of the Committee of 1862 was not in favour of such abolition; but it was suggested that a few lieutenants should be allowed to volunteer for those duties. He could not but think that it was desirable that the experiment recommended should be tried of appointing ten officers to do navigating duties. Many eminent men in the service had given opinions in favour of abolishing the special navigating class, and Mr. Lindsay had on two occasions in able memoranda expressed a similar opinion. He would strongly urge upon the Admiralty that all the officers who had given opinions in favour of the retention of the special navigating class had also most strongly recommended that a steam vessel should be employed specially to give instructions in pilotage to young officers who were qualifying to take charge of Her Majesty's ships, instead of their having to learn their profession when they were actually in charge of such ships. The *Pysche* despatch boat, which was recently lost on the coast of Sicily, was lost in consequence of the want of necessary experience of the navigating officer in charge of the watch. He should like, if possible, to obtain the support of the House in favour of extending the Naval College at Portsmouth, so as to make it a great naval University for the naval service, and also for the Mercantile Marine, which should be empowered to confer degrees in all branches of science which were important in a nautical point of view. This proposal was originally made by some eminent Liverpool merchants and shipowners, and was favourably received by the Duke of Somerset. Such an University would seem to afford the best means of effecting a real fusion between the Mercantile Marine and the naval service, so that the former should be able to afford material aid in a naval war. The proposal could be carried out at a small expense, and the degrees being open to both services would be more highly appreciated in the Mercantile Marine. Examinations could be held in the various ports in a similar manner to that adopted by the Universities of Oxford and Cambridge in conferring Art degrees. It might be thought that a sufficient number of mercantile officers would not be found to undergo an expensive course of education, but there were already two vessels—one in the Thames, and another in the Mersey—for the instruction of mercantile officers, and he could say that the one in the Thames was crowded with students. He would venture to propose that a commission in the Naval Reserve in future should be given only to persons who had passed an examination in the practical part of gunnery. It should be made incumbent on those who belonged to the Reserve forces to undergo short courses of study, and if for the Naval Reserve there could be arranged a short course of gunnery on board the *Excellent,* it would not be an unreasonable exaction to require that every officer in the Naval Reserve should qualify himself by going through the course. The Navy of the Northern States of America had received most efficient aid during the late war from the Mercantile Marine, which furnished no less than 7,500 naval officers to the fleet. In conclusion, he would say that though he should be prepared to go further than the recommendations of the Committee as regarded changes in the naval service, yet he accepted their recommendations so far as they went, believing them to be well calculated to secure increased efficiency and skill in the officers of the Navy. He begged leave to move the Resolution of which he had given Notice.

Motion made, and Question proposed,

"That it is expedient to adopt the recommendations of the Committee appointed by the Admiralty as to the training of Naval Cadets."—(*Mr. Brassey.*)

Mr. GOSCHEN said, the hon. Member for Hastings (Mr. T. Brassey) had apologized to the House for having made an unnecessary speech; but he (Mr. Goschen) could assure him that it was quite of a contrary character, and that the naval service would not complain of the tone of his remarks. They might not agree with all his observations, or all the conclusions at which he arrived; but they would concur with him in thinking that the subject was one the importance of which could not be overrated. A week ago the House was engaged in discussing the subject of the manning of the Navy; and great as was the importance of that subject, it was almost equalled in importance by the subject of to-night—namely, the education of the officers who were to take the command of the ships. The hon. Member had spoken of the great changes which had taken place in the Navy during the last 50 years. No doubt, these changes had been exceedingly great; but the changes which had been made in the education of the naval officers, though they might not yet have been so great as was necessary, had followed the course of events, so that greater attention was now paid to the education of the officers than was paid to it 10 or 20, or 30 years ago. A most important change had taken place in this way—that the time during which naval cadets received instruction had almost doubled. A short time ago, a year and three months was all the time that was devoted to the cadets; now they were instructed for two years before they were sent to sea, after which they went for a year to sea to learn their seamanship and navigation. The hon. Member had also spoken of the early age at which cadets entered the service. This was a moot point in the Navy; and while the hon. Member was able to cite opinions in favour of the later age, a very large number of officers still adhered to the idea that the cadets should be entered very young. From the strictly educational point of view, he believed that the hon. Member was right, and that the nation would have a more highly-educated set of officers, the later they entered the service. It was very important to secure as much school training for cadets as possible before they entered the Navy, and, if it could be shown that by the entry at 16 years of age, they would be as able to secure as many and as good officers as when they entered at 13, a very strong case would have been made out in favour of the latter age. He would be unwilling, considering the short time he had been at the Admiralty, to make any declaration of opinion as to the age at which cadets should enter the Navy. The analogy drawn by the hon. Member between the Army and Navy upon that point was not conclusive, because the life which the naval cadet had to follow differed so much more from ordinary life, than the change which took place in regard to the military cadet, that he did not think they could reason from one to the other. He was informed that the boys who took to the sea very young were more likely to stick to it, and make it a profession, than those who entered later in life. And further, he would ask his hon. Friend would he propose that they should have no boys who were under 16, or would he admit boys between 13 and 16? [Mr. T. Brassey: Between 12 and 16.] He certainly thought that would be the preferable mode of the two. But, if so, there would be a difficulty, which would be considerable—that those entered at 13 might become seniors in time in the Navy to those who entered at 16, and the boys coming from the schools, and being placed under their juniors might have much to suffer, and be alienated from the service at a very early age. He would not, however, express any definite opinion upon the subject at present, but promised that it should be fully investigated, and would say that any arguments in favour of admitting cadets of greater age would receive full consideration by himself and his colleagues at the Admiralty. Great difference of opinion existed among naval men on the subject, but it was a fact that difficulty was experienced in advancing cadets in intellectual pursuits after leaving the training-ship, so that it would evidently be a gain if their studies could be prolonged before they entered the Navy. When they once went to sea they ceased to make any real progress in study. The Committee which sat on this subject recommended that the naval instructors should be abolished altogether, because the number of hours of instruction was so small as to be scarcely adequate to the cost. This brought him to another point—that the time should be extended during which cadets should be trained. Theoretically, there was a great deal to be said in favour of this plan; but on whom would the expense of an extra year's education fall? On the State, or on the parents? The naval cadets paid £70 a-year for the two years on board the *Britannia;* and the expense was considerable on the officers who sent their sons to training. While agreeing that an additional year's schooling would be a serious thing for the officers and for the parents of the boys generally, it was deserving of consideration whether the time of training should not be lengthened. He agreed in the suggestion regarding training brigs, for they had been found to work very successfully in the case of seamen, and he did not see why it should not be equally successful in the case of naval cadets. On the whole, he was inclined to think that if the naval instructors were really not causing that progress in education that might have been wished, it might be necessary to re-consider the whole of that portion of education, and see whether it could be possible to give a longer education before going to sea. But he must say that, in settling that point, it was a practical consideration that boys should not go to sea at a later age than was likely to give them a taste for the sea. The next point was this—Would it be desirable to substitute French to a certain extent for the higher branches of mathematics? Nothing could be more important than to increase the knowledge of French in our officers; but he did not think it would be desirable to give up mathematics—in fact, the Committee complained that mathematics were too much neglected by our naval officers already. He thought, in fact, that the time on hand was sufficient for the study of French and modern languages, and the study of mathematics also. The hon. Member next expressed a wish that after the naval cadets had become midshipmen, there should not be a want of training in navigation, and seamanship, and pilotage. It was quite desirable in every way to stimulate those studies; but he could not agree with the hon. Member's recommendation to abolish the navigating officers. There were officers in favour of their abolition, and there were officers opposed to it. His own view was, that it was obviously desirable that every lieutenant should be able to navigate a ship; but that was a very different thing from abolishing the class of navigating officers. The general view of the matter was that the navigating officers should be replaced in time of war by merchant seamen so as to liberate the fighting force; but if this were done, men would be introduced on occasions of great moment to navigate ships with which they were almost wholly unacquainted. It was desirable that those who had charge of these ships in time of war should be men who were thoroughly acquainted with all their eccentricities; and complete knowledge of ships of novel construction, such as our ships of war, could not be gained in a day. It was desirable that a navigating officer should be thoroughly well acquainted with his ship, just as it was advisable for a rider to know the character of his horse. But be this as it might, he was told that there was no more valuable class of officers than the navigating officers; and as a curious illustration of how what was undervalued in one country was valued in another, he would mention that a distinguished French officer had stated that there were two points of the English system which were most admirable, and that these were our navigation officers and our marines. Our navigating officers constituted a class of officers whom of all others in our Navy foreigners most admired; and there was this further consideration—that while the Mercantile Marine were exceedingly valuable upon all the beaten tracks, they would not be able to compete with the navigating officers in unknown waters and under exceptional circumstances. As to training, he entirely concurred in the observations which had fallen from the hon. Member, who said it was desirable to give to these navigating officers a special training for their profession. Now, no naval subject interested the Admiralty more than the education of that class of officers, and already the idea had been partly carried out; for those ships which had been employed around the coast, the *Fox*, *Buzzard*, *Medina*, *Medusa*, and *Dee*, which were continually moving about the Channel, had been almost entirely officered from that class, the object, of course, being to afford to them an opportunity of acquiring the requisite experience. The Admiralty would keep an eye on the education of navigating officers, and if he attached great importance to their existence, it must not be supposed on that account he did not think progress ought to be made in the education of the active lieutenants and sub-lieutenants; on the contrary, he felt everything should be done that could be done to qualify them for the performance of their functions with greater efficiency than at present. At present, however, he was not prepared to say it would be wise to amalgamate the two classes, and do away with the class of navigating officers. With regard to the question of age he was open to conviction, but did not think the hon. Member had adduced sufficient evidence to show that any change ought to be made in that particular. As to attaching a training brig to the *Britannia*, and lengthening the time of training, he thought the hon. Member had made out a stronger case, and it was a subject worthy of much consideration. He also admitted that great force existed in the remarks respecting the abolition of naval instructors on board the ships of the Navy. He could assure the hon. Member that all the points he had urged would receive the careful attention of the Admiralty; and he therefore hoped the Motion would not be pressed to a division.

Sir JOHN HAY said, he must congratulate the hon. Member for Hastings (Mr. T. Brassey), upon the excellent statement he had made to the House, and, at the same time, was glad to find the right hon. Gentleman the First Lord giving a prudent answer to the speech. For several years he had been in favour of admitting officers into the Navy at a later age than that now fixed. He thought the age should be 16. No doubt it was held by high authorities that youths took to the sea more readily and became more of amphibious animals if admitted at an earlier age, and that later on they were apt to become disgusted with their profession. On the other hand, it was of great importance that they should be able to go to Eton or Harrow, and enjoy the benefits of a public school education up to 15 or 16, instead of being taken from private educational training at 12. A distinguished relative of his own, Lord Dundonald, one of the most conspicuous examples of a naval officer who ever flew a flag, never went to sea till he was 18; and though one instance of that kind was not sufficient to prove the rule, it showed that a late age for entering the Navy was no disadvantage. As to naval instructors, he could not quite agree with the right hon. Gentleman the First Lord of the Admiralty, when he intimated that it might be advantageous that there should no longer be instructors on board the ships of the Navy, for he did not gather from the Report of the Committee that they made an absolute recommendation for the discontinuance of this class of officers, and, for his part, he was entirely adverse to any such proposal. He was well aware that many naval officers had been trained without the advantage of naval instructors on board the ships in which they served—in fact, he was himself for three years on board a ship in which there was no such instructor; but in those days, the young naval officers were the *protegés* of the captains, and he personally had the good fortune to serve under a commander of great ability, who, taking an interest in the youngsters, devoted much of his time to their instruction. That was, however, no part of the commander's duty, and as it was impossible to calculate upon circumstances of exceptional good fortune in every case, it would be unfair to young naval officers in the present day to expect them to become efficient unless they had the assistance of competent instructors. He had heard with pleasure the statement of the right hon. Gentleman in reference to the navigating officers. It was a question upon which, in his opinion, it would be desirable to leave well alone. The lieutenant on board a ship might be equally skilful and competent as a navigator, but the navigating officer ought, in addition, to be sufficiently familiar with our coast to be able to take his ship safely into harbour without the assistance of a pilot in the darkest night of winter. It would, therefore, be a pity to abolish this class of officers.

Captain EGERTON said, he thought it almost impossible to fix too early an age for boys to commence their training as naval officers, so long as it was not fixed lower than 12 years; but, at the same time, he thought no impediment should be put in the way of officers entering up to the age of 15 or 16 years. With regard to the education of naval officers, he feared there was a tendency in the present day to give that education too theoretical a character to the neglect of the practical branches of their profession. For instance, out of 400 lieutenants on the active list, he found that only three or four had obtained first-class certificates at the Naval College. Agreeing with the hon. and gallant Baronet who had last spoken (Sir John Hay), as to the advisability of continuing the services of navigating officers in the Navy, he thought greater opportunities than they now enjoy should be afforded to these meritorious officers of obtaining the prizes of the profession. On behalf of the service, he begged to thank the hon. Member for Hastings for having so ably called attention to this naval question.

Mr. T. BRASSEY said, that after the promise of the First Lord of the Admiralty, that the matter under discussion should receive consideration, he would not press his Motion to a division.

Motion, by leave, *withdrawn.*

INDIA—EAST INDIA ADMINISTRATION.

RESOLUTION.

Mr. FAWCETT rose to call attention to a Petition recently presented to this House, numerously and influentially signed by Native and European inhabitants of India, in reference to the Financial and General Administration of the Affairs of that Country; and to move—

> "That, in order to make an inquiry into the finances and financial administration of India as complete and satisfactory as possible, this House is of opinion that it would be expedient to obtain either by the granting of a Commission, or by some other means, evidence in India on the subject, both from Native and European inhabitants of that Country."

The hon. Member said, that the Petitioners directed attention to the fact that in India there had been a succession of deficits, antagonistic to the well-being and credit of the country, and involving an increased and new taxation alien to the feelings and the customs of the people, and likely to create in their minds a sentiment of opposition to British rule. They then asserted that these deficits might be avoided if the finances of India were administered with greater statesmanship and economy. They alluded particularly to the Public Works Department, in which they alleged there was great waste, prodigality, and extravagance, and they asserted that many costly public works had been or were in the course of being carried out which were not likely to prove remunerative, and which would throw a heavy burden on the people of India. Further, they asserted that there was no proper check on the sums expended on stores in England, they being frequently purchased at extravagant rates. They next referred to the Home charges, complaining that there was no proper control over the Indian money spent in this country, and they asserted that Indian Budgets would continue to be uncertain as long as the Home charges were uncertain. Next, they objected to the vexation and the corruption which they asserted were sometimes caused by the collection of the income tax. They referred likewise to the inadequate representation of the Natives in the administration of the affairs of their country, stating that the unfairness of such inadequate representation was heightened by the fact that the greater portion of the year was spent by the Government at Simla, where it was difficult for the non-official Members to follow them, so that the Administrative were separated from the Executive parts of the Government. They further referred to certain changes which might be carried out in the Army, and they alluded particularly to the importance of abolishing the separate military commands in the different Presidencies. Having made these allegations, they went on to pray that a Commission might be appointed to take evidence in India on the subject. When this subject was referred to in "another place," an extraordinary and unprecedented response was made on the part of Her Majesty's Government. They said to the Marquess of Salisbury—"If you press for a Commission to take evidence in India, we shall consider that it is a censure on the Government of India, and, in fact, we shall treat it as a Vote of Want of Confidence in that Government." He entreated the independent Members of that House to put an end to this system of treating almost every Motion as one involving a Vote of Want of Confidence. If, indeed, they did not make a strong protest against the practice, they would never have any question decided upon its merits, as the Government would constantly resort to a subterfuge that would prove fatal to the independence of the House. There was no ground whatever for treating this Petition from the people of India as though it involved a censure of, or a Vote of Want of Confidence in the Government of India; and he (Mr. Fawcett) thought that the proposal of the Petitioners might be supported on three very distinct grounds of approval. In the first place, the demand of the Petitioners was in itself reasonable; secondly, the argument of the Government that a Vote of Want of Confidence was involved was absolutely indefensible; and, thirdly, it could be easily shown that no investigation into the affairs of India could be complete or satisfactory if evidence on the subject were not taken in India. By consenting to the appointment of a Select Committee, Her Majesty's Government had admitted that Indian finance and financial administration required investigation. Why, then, should there not be an inquiry in India as well as in England? What would be said if Englishmen had to go to India and give evidence respecting the finances of this country? Still, they might go there, although the cost and inconvenience would be very great; but it must not be forgotten that a large proportion of the Natives of India absolutely refused, for reasons connected with their religion and caste, to cross the ocean; and, consequently, their evidence could not be taken except in India. It might, perhaps, be said that he was one of the first to suggest the appointment of the Select Committee, and that he now came forward to ask for something more. Nothing could be further from his intentions than to say a word against that Committee which had now been sitting for three months, the revelations and the results of which would, he believed, be far more important than anyone could have anticipated. Nevertheless, that Committee would not do all that was necessary. The Petition he had referred to alleged that no investigation could be complete and satisfactory unless evidence was taken in India. Among the subscribers to that Petition was Mr. Boleyn Smith, the President of the Calcutta Chamber of Commerce, and also a non-official member of the Legislative Council there. In their Petition they distinctly asserted that unless evidence was taken in India, it was impossible for the investigation to be complete and for all the facts to be ascertained. If the request to have evidence taken in India was refused, a bad impression would be produced in that country, and much of the good which the investigation would otherwise do would be lost; for the people of India would say we not only refused to give them adequate representation, but we wished to create an impassable gulf between the rulers and the ruled, because we refused those who were most affected by a special investigation an opportunity of expressing their views. Every statesman who had considered Indian affairs had concluded that the greatest problem we had to solve was to create greater communion in India between the rulers and the ruled. Sir Donald M'Leod had said that the people of India had no constitutional method of making their wants known; that the devising such a method was the most important problem which could present itself to Indian statesmen; and that unless it were solved our dominion in India could not be secured, and the continuance of our power there could not work for the good of the people; and he added that the want of sympathy and of understanding between the Government and the people was absolutely lamentable, and if something were not done to remedy the evil our power in India must be most gravely imperilled. Would not this want of sympathy and of understanding be intensified if we held a special inquiry, at which those who had the least opportunity of being heard would be the people of India themselves? It might be said that nothing could be elicited in India which could not be gathered by the Select Committee sitting in this House; but no one could express a confident opinion on that point; and, even admitting that a Commission would not elicit a single fact which could not be brought out by the Select Committee upstairs, that assumption would scarcely weaken the force of his argument, for, however painstaking and exhaustive the inquiry might be, unless Natives of India were examined, the people of that country would not believe that justice had been done them. No one would be less inclined than himself to join in passing censure upon the Governor General of India; and he maintained that a Commission in India would no more amount to such a censure than the inquiry here implied any censure upon the Secretary of State for India. If the Government opposed a Commission, probably at the bottom of their refusal would be a certain official dread that Natives of India would propagate strange doctrines, make unreasonable proposals, and show that they did not appreciate the so-called blessings of England's rule. If this officialism were to prevail, the blunders of the past would be repeated in the future, and as long as it continued we should never be able to create more confidence between ourselves and the people of India. Officials were prone to think that what was good for Europeans must be good for Hindoos; and we were too much inclined to the conclusion that, if we sent to India some institution which we worshipped as a political fetish, and if it were not appreciated by the Indian people, this want of appreciation was a proof of their inferiority in civilization. It was said that our rule had conferred many blessings upon India by increasing the safety of life and the security of property; and, certainly, if the blessings we had conferred were to be measured by taxation, life and property ought to be secure. One thing, at all events, they had obtained from us, and that was administrative extravagance; and, admitting what we had done for the material well-being of India, we must consider the cost at which it had been purchased. Twelve years ago the annual expenditure in India was £30,000,000; now it was £50,000,000; twelve years ago its debt was £60,000,000; now it was £100,000,000. Conceding all that was said of the material prosperity of India, it could not be maintained that that would satisfy the people and make them contented, if we continued to treat them as unworthy to be consulted, and unfit to be intrusted with any of the privileges of self-government. If the people of India were like the aborigines of Australia we might continue to treat them in this way; but their traditions of the highest civilization came down from a time anterior to Greek or Latin literature. The people of India ought gradually to be admitted to a greater share in the government of that country; and, as a step in that direction, he hoped the House would support him in the demand he was about to make, that means should be adopted for obtaining evidence on Indian finance and Indian administration. Possibly it might be said that the evil complained of was about to be redressed, and that we were giving the people of India a higher education. But the higher the education they received only intensified the evil of excluding them from the government of the country. The House had no higher mission to perform than to do everything in its power to increase the sympathies between the English and Indian subjects of the Empire; and he ventured to think if independent Members, either by their votes or the expression of their opinions, should be the means of obtaining the Commission he sought for obtaining evidence in India, they would render no unimportant service to that great dependency; for they would at least show that the House was anxious that the people of India should be, as far as possible, taken into counsel—that their feelings should be inquired into, their wants ascertained, and redress given where redress was needed. The hon. Member concluded by moving the Resolution of which he had given Notice.

Motion made, and Question proposed,

"That, in order to make an inquiry into the finances and financial administration of India as complete and satisfactory as possible, this House is of opinion that it would be expedient to obtain, either by the granting of a commission or by some other means, evidence in India on the subject both from Native and European inhabitants of that Country."—(*Mr. Fawcett.*)

Mr. G. B. GREGORY said, that the questions raised by the hon. Gentleman the Member for Brighton (Mr. Fawcett) deserved the careful consideration of the House. To one alone he particularly wished to call attention. There were a number of feudatories whose dominions had from time to time been absorbed by the English Government, and to whom pensions or annuities had been secured by treaty in lieu of the rights which they surrendered. Questions, however, were continually raised as to the duration of a succession to these annuities, and when the heir of one of these feudatories attempted to assert his right against the Government he was met by the plea that the treaty under which he claimed was an Act of State of which no Court of Law could take cognizance. This state of things had been aggravated by Sunnuds granted by Lord Canning to the successors of these feudatories after the Indian Mutiny, guaranteeing their rights and the succession to them according to Mohammedan law, or the custom of the country or the family, as the case might be. These Sunnuds were, no doubt, most proper in themselves; but the construction of them was in many cases a purely legal question, and the parties interested were stopped from a decision of them by any competent tribunal in the manner he had stated. In one case within his own knowledge the Court of First Instance, notwithstanding the plea in question had been raised by Government, had entertained the case, upon which the Government appealed to the Privy Council, who held that a legal tribunal had no jurisdiction, and that the plea therefore must be maintained; but in giving judgment the Judicial Committee made such strong observations on the conduct of the Government, that the latter compromised the case. He believed if all such questions were referred to the Judicial Committee of the Privy Council for judgment, a much greater sense of satisfaction and security would be spread among the Natives of India. He trusted the matter would be taken into consideration by the Government.

MR. GRANT DUFF: Before alluding to the Resolution which is now before us, I wish to point out to the House that that Resolution is not the Resolution which the hon. Member for Brighton (Mr. Fawcett) put upon the Paper, and which he kept on the Paper till within the last two or three days. That Resolution ran as follows:—

> "To call attention to a Petition recently presented to this House, numerously and influentially signed by Native and European Inhabitants of India, in reference to the Financial and General Administration of Affairs in that Country; and to move, That, considering the wide-spread discontent existing amongst the Native and European Inhabitants of India in reference to the Financial and General Administration of the Affairs of that Country, this House is of opinion that it would be expedient to appoint a Commission, so that evidence might be obtained on the subject in India, both from Natives and Europeans:
>
> "And, to move, That, in the opinion of this House, it is expedient to take steps to obtain more fully and precisely the opinions of the Native and European inhabitants of India, with regard to the finances and financial administration of that Country."

The House will see that that Resolution is conceived in a totally different spirit from the new one. I do not know, Sir, whether you would rule that the hon. Member has exceeded his extreme rights in obtaining a place upon the Paper on behalf of one Resolution, and then replacing it by another so different, both in the reasons on which it is founded, and in the course which it proposes; but of this, Sir, I am quite certain—that not only all hon. Members, but all honourable men will be of opinion that for one in the responsible position of a Member of this great Assembly to attach his name to the proposition, that there is general discontent among the Native and European inhabitants of India, and then after giving as wide publicity to that statement as he could, to run away at the last moment and to decline to take the judgment of the House upon that question, is not a proceeding calculated to advance the interests of the country. But now for the new Resolution of the hon. Member. If the name attached even to it had not been that of any Member of the House except himself I should have listened to it with some surprise, for a stranger proposal has not, I think, often been made to us. It will be in the recollection of many that the hon. Member, catching last year some echo of the grumbling with which an income tax of $7\frac{1}{2}d.$ in the pound was greeted in India by the small but influential class which had to pay it, became, or appeared to become, very much alarmed about the state of Indian finance, and informed us that he would move this Session for a Committee on that subject. The Government, believing that nothing but good could come from laying bare the whole state of the finance and financial administration of our great Eastern dependency, met the hon. Member much more than half-way, and moved for the appointment of a Committee, which was appointed and immediately entered upon its duties. That Committee, exceptionally large from the first, consists now of 27 Members, many of whom attend most closely and take an active part in the examination of the witnesses. There have already been 17 meetings, though only a moderate portion of the gigantic subject with which we have to deal has been traversed; but I appeal to every hon. Member of that Committee to say whether there has been, either on the part of the Chairman or of myself, the slightest shadow of an attempt to shut out any evidence whatsoever that could reasonably be expected to throw light into the inquiry, or even to suggest that the Committee should not investigate everything which could by any fair interpretation come within our Order of Reference—and it is difficult to say what branch of Government will not come under an Order of Reference which instructs us to deal with the moving power of every branch of Government—with finance and financial administration. These things being so, the hon. Member calmly comes down, and telling the House, in effect, that its Committee is incapable of arriving at the truth and of satisfying opinion in India, proposes to send a Commission to that country. Well, if sending a Commission to India would not be sending coals to Newcastle I do not know what that phrase means. Why, how do you govern India, except by a British Commission perpetually renewed? I have always thought that it is most important, from time to time, to inquire into the affairs of India by Select Committees of this or of the other House of Parliament, because it is most important to keep the necessarily despotic Commission which governs India in harmony with the tone and spirit of our Constitutional and Parliamentary system; but why you should send out another Commission to do a part of the work which is being already done by your standing Commission is more than I can understand. I can, on the other hand, quite understand why the course he adopts should appear a natural one to the hon. Member. It is so very much easier to come down here and to make good, strong, round assertions, than to sit hour after hour upstairs, patiently waiting, till your turn comes, to try and prove by examining or cross-examining a witness the truth of those strong assertions, and hearing every moment facts and opinions which conflict with dearly cherished theories. I can, I say, quite understand, after sitting on Committee with him, why the hon. Member should be dissatisfied with the tribunal which he himself proposed and should suggest another method of arriving at what he would describe as the truth. To allude to evidence that has been given before that Committee, which may not have been acceptable to the hon. Member, would, of course, be out of Order, and so I will not do it; but I may say, with regard to the future, that the chief pleasure to which I look forward on this Committee —and at the best there is not very much pleasure to be got out of a Committee in the month of June—is seeing the writhings of the theories of the hon. Member as witness after witness touches them with the light of fact, just as Ithuriel touched that other hon. Gentleman with his spear.

And now a word about the Petition that gives occasion, or rather opportunity, for the hon. Member's Motion. It consists of 20 paragraphs. Of these, the first 10 and the 15th relate to matters which may come directly within the cognizance of the Committee on East Indian Finance and Financial Administration. About the points raised in these paragraphs I will say nothing, for the very simple reason that what the House wants to know with regard to them is not either the opinion of the Government or the opinion of the hon. Member for Brighton. What it wants to know is the opinion of its own Committee, when that Committee has taken the usual means of forming an opinion; but just to show the carelessness, the neglect of the most ordinary methods of arriving at correct conclusions which have inspired the authors of this Petition, I will read one paragraph, and then explain the state of the case with regard to it. Paragraph 8 runs as follows:—

"With reference to the Home charges generally, your Petitioners submit that the people of India have the same right to be furnished with a full account of the expenditure of that portion of their revenue, which is disbursed in England, as of that which is disbursed in India; and that, as regards such of the charges concerned as are not

> of a fixed and permanent character, a power of practical control should be vested in the Government of India, or in some authority responsible immediately to it."

Now, here is the answer which is furnished to this, in an extract from the speech made on the 9th of March last by Sir Richard Temple, the very man who would have had most reason to complain, if the statements put forward by the Petitioners had had any foundation in fact—

> "Before finally quitting the finances of the year I must ask leave to notice certain remarks which have been made, and, indeed, reiterated, regarding the accounts of the Home Treasury of the Government of India which are kept in England. It has been said that the expenditure in England on account of India is incurred without sufficient reference to the authorities in India, and that the detailed accounts of it are not made known in India. Now, I showed, in my last exposition, that by far the greatest part of that expenditure is really incurred either under rules proposed by the Government of India, or upon requisitions made by the Government of India. So far we ourselves must accept a very large share of the responsibility. There are some exceptions to this; but they are not considerable. So much for the expenditure. No doubt the accounts of that expenditure are kept under the direct orders of the Secretary of State for India. But they are rendered to us, month by month, with the greatest regularity and the fullest detail. We again publish the account annually, with all its details, in *The Gazette of India*, and have usually done so for years past; the publication taking place in the summer. In short, the information before the public in India regarding the expenditure in England, is as full as that regarding any portion of the public expenditure whatever."

That contradiction is, I think, pretty decisive; but if the hon. Member for Brighton thinks that he can substantiate the views of the Petitioners on that or any other point where they pass out of the region of mere truism and commonplace, he has got his tribunal upstairs, and I wish him much joy of his chances of success. There are, however, a few matters noted in the Petition which do not come within even the wide sweeping net of a Committee on Finance and Financial Administration, about which I may be expected to say a little. The 11th and 12th paragraphs complain of the existing constitution of the Viceregal Council; the 13th deprecates the resort of the supreme Government to the hills; the 14th, against which the Native Petitioners protest, proposes to make the Governor General more independent of the Home authorities—or, in other words, of the Cabinet of the day and of Parliament—and the paragraphs from the 15th to the end complain of the present organization of the Native Army, and pray for a Royal Commission to inquire into the whole circle of subjects to which the Petitioners allude—that is, in effect, as the hon. Gentleman puts it, into the whole financial and general administration of the country.

Now, as to the constitution of the Viceregal Legislative Council, and as to the present organization of the Native Army. These may conceivably become one day legitimate subjects for separate inquiries; but both the Council and the Army are quite new institutions, dating from 1861, only 10 years ago; and to inquire into them at present would be to imitate the behaviour of a child who digs up seeds to see how they are growing. These questions, I say, may conceivably some day require examination; but the instrument of that examination will not, I should think, in either case be a Royal Commission. As to the first, a Committee of this House would surely be in every way a fitter tribunal to try the question—how far representative institutions can be extended to our Asiatic possessions. I know no reason in the nature of things why they should not some day or other be so extended; but the time has not arrived for a real representation in India. Even here representative institutions grew very slowly, and although it is natural enough that these Petitioners should ask for the re-modelling of the Legislative Council because they fancy that they will thereby obtain some accession of influence, we must not forget that they are interested parties.

With regard to the present organization of the Native Army, that, too, may be conceivably one day a very legitimate subject for a separate inquiry; but the mode of inquiry which is alone at present applicable is being applied now, for the Native Army is constantly being watched and constantly examined by your great officers in India. If they are incompetent — if Lord Mayo and Lord Napier of Magdala are unfit to advise the Government as to the Native Army—recall them, and send better men, if you can find them, in their place; but do not supersede them by sending a Royal Commission to take off their hands, perhaps, the very gravest and most responsible part of their duty; for, after all that has happened, it would be idle to deny that the good ordering of the Native Army must be always one of the most important portions of the duties to be performed by the great officers of the Queen in India. I need not add, I am sure, that it is one of the most delicate, as well as one of the most important portions of their duty—just about the last to be handed over as part of a bundle of subjects to be inquired into by a Royal Commission, mainly constituted with a view to inquire into finance, for much more than half the Petition relates to that subject, which was evidently uppermost in the minds of the Petitioners. It remains to say a word as to the proposed independence of the Viceroy and the resort of the Government to Simla. As to the first, I have already pointed out that the Native Petitioners will have none of it. They know that the Europeans who have signed it merely wish the Viceroy to be independent, because they think they can act upon him, and they know they cannot act upon the Home Government; but does the Viceroy ask for more independence? Will not every Viceroy tell you that in 99 cases out of 100—in every case, I may say—where the House of Commons does not positively interfere, the tendency of the Home Government under all Administrations is always to strengthen the hand of the Viceroy? When it does not do so, it almost always is because some particular course could not be reconciled with British opinion; and while India remains a dependency of the British Crown it must be governed in the last resort by British opinion, wisely, cautiously, even diffidently expressed—expressed after hearing all that the specialists have to say—but still British opinion.

As to the annual removal of the Supreme Government to Simla, the opposition to it arises merely from the private interests and quite natural prejudices of the inhabitants of Calcutta; but a very short-sighted opposition it is, for it is pretty clear that if the Government of India had to remain in one place year out and year in, it would not remain in Calcutta. Once let the annual resort to Simla, or some other place where the European can work at full power during the hot season, be given up, and Calcutta will cease for ever and a day to be the political capital of India.

And next with reference to the cry that the Natives of India have not sufficient opportunity of expressing their views before this Committee. What is to prevent any Natives of India putting their views directly before the Committee, either in the shape of Petitions to this House—which would, of course, be immediately referred to it—or by sending over any person to be examined whom they may select, or by instructing any of their numerous countrymen here to go before the Committee? Already several Natives of India have been proposed as witnesses before that Committee, and I should fancy that the Committee would be only too happy to hear the evidence of any Natives of India, for whom the hon. Member desiring to call them would vouch as having anything to say that would be worth hearing. I am afraid, however, that most persons who know India will tell us that the views of the Natives of India upon finance and financial administration—and, indeed, upon all the problems which occupy us in connection with India—will fall under one of two heads. Either they will be mere reflections of some well-known form of Anglo-Indian opinion upon finance—say of the existing Governmental view, or of the more sanguine view which I may call Mr. Laing's view, or of what I may call the irrational view, which can be summed up in these words—"Diminish revenue, and increase expenditure;" or they will be the expression of the good old-fashioned pre-British view—"Make your taxes light, and leave your detestable improvements alone." The hon. Member has held forth to the House at great length upon consultative councils; but does he really think the Committee is so stupid that it will not investigate all the more plausible suggestions for the improvement of Indian Financial Administration? Why, for what other purpose was it appointed? Was it appointed only for the purpose of watching the hon. Member for Brighton engaged in the congenial occupation of finding mares' nests? It was unnecessary to appoint a Committee to do that. The House has been—sufficiently often—a witness to the hon. Member's success in that branch of ornithological research. Let the hon. Member make himself easy. If the Committee, after having used all the ample powers which the House has conferred on it, finds that it cannot execute the task which is committed to it, it will suggest some means for carrying the inquiry further. But it is for the Committee to do that, and not for a single Member—one twenty-seventh part of it. For the House to accede to the Motion of the hon. Member at this stage of the Committee's proceedings will be to pass upon that Committee a severe and quite undeserved censure. And I must therefore give, on the part of the Government, the most unqualified opposition to it.

MR. C. B. DENISON said, by common consent and felicitous usage all parties in that House discussed Indian questions without reference to party politics. He would not, therefore, yield to the temptation of commenting on the extreme divergence of opinion shown by the speeches of the hon. Member for Brighton (Mr. Fawcett) and of his hon. Friend the Under Secretary of State for India, and on the tone of unusual asperity adopted by his hon. Friend to the hon. Member for Brighton, but would keep to the question before the House. What was really for the good of India was the question they had to ask themselves. Was it the Committee or the proposed Royal Commission? To fall back on the latter would be to stultify themselves; for the Committee which was now sitting had not concluded one-half of its labours, or even made an interim report to the House. He agreed entirely in the concluding remarks of his hon. Friend, that circumstances might arise —he did not apprehend they would arise—which would prevent them getting the required information; and in that case it would be their duty to consider what steps should be taken to bring that information under their cognizance. But, as far as they could at present see, there was no reason to apprehend that any difficulty would be thrown in their way. The hon. Member for Brighton alluded to a gentleman who was president of the Chamber of Commerce, and laid great stress on the fact that he had signed the Petition praying for a Royal Commission. But he was coming as a witness before the Committee at his (Mr. C. B. Denison's) suggestion, and he should be much surprised to find that gentleman still adhering to the opinion that a Royal Commission was essential to the object they had in view. He could not agree that the Committee was appointed with a foregone conclusion that there were great abuses to remedy. His view was that there were some things which called for investigation, and others in which there were misapprehensions which the labours of the Committee would remove. And it must not be forgotten that in the Petition which formed the basis of the Motion of the hon. Member for Brighton, there was internal evidence to lead to the belief that the Petitioners themselves were not at the time aware of the appointment of a Committee of that House. Under these circumstances he was strongly opposed to the Motion at the present moment, and preferred to wait the result of the labours of the existing Committee. If in any way thwarted in their inquiry it would be open to them to recommend Commissions to India, but that was a course open to many obvious objections and difficulties, and not to be lightly or hastily determined on.

SIR CHARLES WINGFIELD said, he must agree with his hon. Friend the Under Secretary of State for India in the remarks which he had made on the proposition that the Viceroy should be left more free. The reason why the non-official English in India desired more power for the Viceroy was because they thought they could bring more influence to bear on him than on the Secretary of State. The controlling powers of the Secretary of State were greatly approved of by the Natives, and he was not surprised that they should have dissented from this part of the Petition. There was, however, serious discontent at the present moment in India at the financial measures of the Government, as was proved by the number of Petitions from the four great cities, the unanimous opinion of the Press, and even the speeches in the Council of the Governor General where civil servants high in position testified to the discontent of the people, and the anxiety they themselves experienced while watching the constant increase in taxation. From the time of Lord Cornwallis to that of Lord Lawrence there was one creed in regard to taxation in India—namely, to trust mainly to the established sources of taxation, and to be most cautious in imposing new imposts. Lord Lawrence said in 1864 that the people were poor, and were impatient of any except the old modes of taxation, while Lord Canning declared he would rather govern India with 50,000 European soldiers and no income tax, than with twice that number with that impost. Although the income tax had now been lowered to 1 per cent, yet the grants from Imperial revenues for local wants having been reduced, the odium of raising further taxes had been thrown upon the local governments. Sir Seymour Fitzgerald stated this distinctly the other day, and actually proposed a tax upon feasts, which would have been an impost on the hospitality exercised at family gatherings and religious ceremonies. That proposition had been withdrawn; but other new taxes were about to be imposed. It would have been better to have reduced expenditure rather than to have resorted to these irritating measures, and he believed that great troubles were in store for us if this policy of increasing taxation at the arbitrary will of the Government was persevered in, for it was sowing broadcast the seeds of disaffection. He did not attach much importance to the objection that a Royal Commission would weaken confidence in the Governor General of India, for authority was not strengthened by refusing to inquire into grievances. But he did not entertain the conviction that a Royal Commission was necessary. There were former members of the service, and of the commercial classes now in this country, as competent to give evidence before the Select Committee as those persons who were now residing in India in the service of the State or in the pursuit of commerce. He admitted that inquiry without hearing the opinions of the members of the community most affected by the financial administration would be imperfect; but he thought we might reasonably expect that Native gentlemen of education and position would present themselves for examination before the Committee. The difficulties of the journey were not too great to preclude that idea; and the laws of caste were not so stringent as to prevent the adoption of such a course, as was evident from the number of Native gentlemen who now came to this country to pursue their studies. And, besides, he had no doubt that the great associations of wealthy landowners in Bengal and Oude would be ready to defray the expense of sending representatives to expound their views. He saw no statement in the Petition to the effect that an inquiry could not be properly conducted in this country, and he did not think that those who had accepted the Committee would be acting in good faith towards the Government if they raised their demands to a Royal Commission in India. He was satisfied with the assurance that the portions of the Petition relating to finance should be referred to a Select Committee.

Mr. AYRTON, as Chairman of the Select Committee on Indian Finance, said he must oppose the Motion, which he considered to be unnecessary. Personally, he should be glad to see it carried, if it would relieve him from the duty of presiding over the long and arduous labours of the Committee, which was proceeding with great care, deliberation, and zeal, laying a broad foundation for further investigation, and qualifying its Members to give full consideration hereafter to questions connected with Indian finance. That subject, he might observe, was a most difficult one, for as expenditure had exceeded income, they would have to consider how financial operations could be brought within the resources of the country. It was satisfactory to know that this Petition had evidently been prepared without any knowledge of the fact that an inquiry was already proceeding. Persons who had presented other Petitions, on becoming acquainted with the circumstance that a Select Committee had been appointed, had expressed great satisfaction. An association including the most intelligent and influential persons in Bombay, and another association in London, of which a great many gentlemen connected with India were members, were also satisfied with the step which had been taken in appointing the Committee. It would be observed that the Committee which had been appointed had precisely the same duties and the same purpose as the Royal Commission would have, and that being so, the House would be placing itself in an extraordinary position if it appointed a Commission which was virtually to supersede its own Committee. He asked the House, out of respect to its own Committee, and out of consistency in its own proceedings, not to entertain the Motion of his hon. Friend. There could not be a Governor General administering the affairs of India, and at the same time another body roving about the country hearing evidence against the Governor General in Council, and against the Governors of the various Presidencies, without unsettling the minds of the people of the country. He trusted, therefore, seeing that the Committee possessed a capacity that could not belong to a Commission, that the House would not assent to the Motion.

SIR STAFFORD NORTHCOTE said, he did not feel he was quite the man in that House to make an appeal to the hon. Member for Brighton (Mr. Fawcett); but he did hope that the hon. Member would forgive him, if he asked him not to press his Motion to a division. He sympathized very deeply with the motives which had induced the hon. Member to bring forward this Motion, and he sympathized also with the persons who had signed the memorial to which he had called attention. The real grievance hitherto had been the great difficulty of calling the attention of the British Parliament, and especially the House of Commons, to Indian questions. When the Indian Budget came on for discussion it had been very difficult often to secure an attendance. At present they were happily in a very different position from that of late years, because that House had shown that it was alive to that difficulty, and they were now investigating, by a Committee, the financial condition of the country, and endeavouring to arrive at the truth as regarded its administration. If this had been a case of smothering inquiry he should not rise to assist the Government to stop inquiry, but it was because the present investigation had been entered on in a sincere and earnest spirit that he thought it very undesirable to throw any cold water on the new-born zeal of the House of Commons. What was really wanted was, that they should endeavour to understand these questions and investigate them for themselves; and though it might be hereafter found desirable to obtain information in the manner suggested by the Motion, yet until that time came, and until that fact was brought before the House by the Committee itself, it was contrary to the spirit in which the Petition had been drawn up that they should leave the Committee in the hands of a Royal Commission. That was the principal ground on which he would wish the hon. Member to withdraw his Motion. It would be unfortunate if the Motion should be pressed to a division and be defeated, because that result would lead to a misapprehension in India.

MR. FAWCETT said, he should not have troubled the House further but for the very unusual tone which had been adopted by the hon. Gentleman the Under Secretary of State for India. Five years' experience in that House had convinced him that an hon. Member had done right in bringing a question forward, if the fact of its having been brought forward caused the Minister in charge of the Department to which the question related to lose his temper. The Under Secretary for India had characterized his line of conduct in altering the terms of his Motion as being one which would not have been taken by any honourable man; but he would remind the House that the Government had, after wasting much of the time of the Session, altered their course in reference to the Bill for the regulation and re-organization of the Army without giving any previous notice of their intention at all. The Under Secretary for India stated further that he (Mr. Fawcett) last year constituted himself the organ of a small and discontented section in bringing forward a Motion for a Select Committee, but as a matter of fact the effect of his Motion had been the appointment of the Committee and the introduction of the Indian Budget early in the Session instead of at the end, as was the case heretofore. He should not, in deference to the appeal of the right hon. Baronet (Sir Stafford Northcote), press his Motion to a division at the present moment; but he wished it to be clearly understood that if at any time hereafter the necessity for holding an inquiry in India was urged by witnesses from India to be examined before the Committee now sitting he should renew his Motion.

Motion, by leave *withdrawn.*

PARLIAMENT—ADJOURNMENT OF THE HOUSE.

MR. GREENE said, he would move the adjournment of the House, upon the ground that at that late hour no new business should be entered upon. There were many questions to come on, which would occupy much time if properly discussed, added to which the House had to meet again at 12 o'clock of that same day.

After short debate—

Motion made, and Question put, "That this House do now adjourn," — (*Mr. Greene.*)

The House *divided*:—Ayes 56; Noes 101: Majority 45.

Lord GEORGE HAMILTON rose to move that Mr. Speaker do leave the Chair; but

Mr. SPEAKER ruled that the noble Lord was not in Order.

SUNDAY OBSERVATION ACT REPEAL BILL.—LEAVE.

Mr. P. A. TAYLOR rose to move for leave to bring in a Bill to repeal the Act of the twenty-ninth year of Charles the Second, chapter seven, intituled "An Act for the better Observation of the Lord's Day, commonly called Sunday." The hon. Member urged that the Act he sought to repeal operated unjustly, especially upon the poorer class of tradespeople, many of whom had been subjected to prosecution at the instance of the Rev. Bee Wright, supported by other Sabbatarians, though the magistrates only imposed nominal fines upon the persons summoned. Moreover, the present Act did not stop working on Sundays, as had been proved on a late occasion in connection with the International Exhibition.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to repeal the Act of the twenty-ninth year of Charles the Second, chapter seven, intituled 'An Act for the better Observation of the Lord's Day, commonly called Sunday."—(*Mr. Taylor.*)

Debate arising.

Motion made, and Question put, "That the Debate be now adjourned."—(*Lord George Hamilton.*)

The House *divided*:—Ayes 77; Noes 61: Majority 16.

Motion made, and Question put, "That this House do now adjourn." — (*Mr. Newdegate.*)

The House *divided*:—Ayes 58; Noes 67: Majority 9.

After further debate,

Debate *adjourned* till *To-morrow*.

HARROW SCHOOL.

MOTION FOR AN ADDRESS.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to disallow the Statute now lying upon the Table of the House, by which membership of the Church of England is, for the first time, imposed as a qualification for appointment to the governing body of Harrow School."—(*Mr. Trevelyan.*)

Debate arising.

Debate *adjourned* till *Tuesday* next.

MUNICIPAL CORPORATION ACTS AMENDMENT BILL.

On Motion of Mr. Dixon, Bill to amend the Municipal Corporation Acts of 1835 and 1859 with respect to the qualification of Aldermen and Councillors, and the division of boroughs into wards, *ordered* to be brought in by Mr. Dixon, Mr. Mundella, Mr. Stevenson, Mr. Muntz, and Mr. Carter.

Bill *presented*, and read the first time. [Bill 193.]

FACTORY ACTS EXTENSION ACT (1864) AMENDMENT BILL.

On Motion of Mr. Mundella, Bill to amend "The Factory Acts Extension Act, 1864," by providing for the regulation of the labour of young persons and women in Brick and Tile Yards, *ordered* to be brought in by Mr. Mundella, Viscount Sandon, Mr. Thomas Hughes, Mr. Akroyd, Mr. Henry Herbert, and Mr. Samuelson.

Bill *presented*, and read the first time. [Bill 194.]

CONVENTUAL AND MONASTIC INSTITUTIONS.

Select Committee on Conventual and Monastic Institutions *nominated*: — Mr. Villiers, Mr. Jessel, Mr. Thomas Chambers, Mr. Matthews, Mr. Cogan, Mr. Pemberton, Mr. O'Reilly, Mr. Bourke, Mr. Serjeant Sherlock, Mr. John Gilbert Talbot, Mr. Pease, Mr. George Gregory, and Sir John Ogilvy:—Power to send for persons, papers, and records; Five to be the quorum.

RAILWAY REGULATION AMENDMENT BILL.

On Motion of Mr. Chichester Fortescue, Bill to amend the Law respecting the Inspection and Regulation of Railways, *ordered* to be brought in by Mr. Chichester Fortescue and Mr. Arthur Peel.

Bill *presented*, and read the first time. [Bill 195.]

HOSIERY MANUFACTURE (WAGES) BILL.

On Motion of Mr. Pell, Bill to provide for the payment of wages without stoppages in the Hosiery Manufacture, *ordered* to be brought in by Mr. Pell, Mr. Wheelhouse, Mr. Frederic Smith, and Mr. Joshua Fielden.

Bill *presented*, and read the first time. [Bill 196.]

House adjourned at
Two o'clock.

[INDEX.

INDEX

TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCVI.

THIRD VOLUME OF SESSION 1871.

EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1^{o}, 2^{o}, 3^{o}, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

Some subjects of debate have been classified under the following "General Headings:"—ARMY — NAVY — INDIA — IRELAND — SCOTLAND — PARLIAMENT — POOR LAW—POST OFFICE—METROPOLIS—CHURCH OF ENGLAND—EDUCATION—CRIMINAL LAW—TAXATION, under WAYS AND MEANS.

ACLAND, Mr. T. D., *Devonshire, N.*
  Army Regulation, Comm. *cl.* 3, 1294, 1295
  Burials, Comm. *cl.* 1, 1664

ADDERLEY, Right Hon. Sir C. B., *Staffordshire, N.*
  Supply—Privy Council Office, 1389
  West Coast of Africa—British Settlements, 1821, 1822

Adjutants (Jury) Exemption Bill [H.L.]
(*The Lord Stratheden*)
l. Presented; read 1^{a}* *May* 8 (No. 101)
  Moved, "That the Bill be now read 2^{a}" *May* 11, 601
  After short debate, Amendt. to leave out ("now") and insert ("this day six months"); on Question, that ("now") &c., resolved in the negative; Bill to be read 2^{a} this day six months

Adulteration of Food, Drugs, &c. Bill
(*Mr. Muntz, Mr. Whitwell, Mr. Dixon*)
c. Committee* *May* 23—R.P. [Bill 41]
  Bill withdrawn* *June* 1

ADVOCATE, The Lord (Right Hon. G. YOUNG), *Wigton, &c.*
  Bank Holidays, 1532
  Scotland—Administration of Justice, 1100
    Church Repairs, Rates for, 1533
    Hypothec, Law of, 803
  Supply—Queen's and Lord Treasurer's Remembrancer, 1432, 1433

Africa
  East African Slave Trade, Question, Mr. Kinnaird; Answer, Viscount Enfield *June* 5, 1537
  South African Diamond Fields—Orange Free State, Question, Mr. Raikes; Answer, Mr. Knatchbull-Hugessen *May* 19, 1037; Question, Mr. Harvey Lewis; Answer, Mr. Knatchbull-Hugessen *May* 25, 1259

[*cont.*

Africa—cont.

West Coast of Africa—Transfer of the Gambia Colony, Question, Sir Harry Verney; Answer, Mr. Knatchbull-Hugessen *May* 4, 153—*British Settlements on the West Coast*, Observations, Mr. M'Arthur; Reply, Mr. Knatchbull-Hugessen *June* 9, 1806—*Sierra Leone—Mr. Montagu*, Question, Colonel Beresford; Answer, Mr. Knatchbull-Hugessen *June* 12, 1928

Agar-Ellis, Hon. L. G. F., *Kilkenny Co.*
Protection of Life and Property (Ireland), 2R. 1058

Airlie, Earl of
Artillery, Address for Returns, 255
Citation Amendment (Scotland), 2R. 868
France — Communist Insurrection at Paris, 1745
Mint, The Royal, Motion for a Committee, 148
University Tests, Comm. *add. cl.* 380
Washington, Treaty of, Motion for an Address, 1899

Allen, Major R. S., *Somersetshire, E.*
Army Regulation, Comm. 660

Allen, Mr. W. S., *Newcastle-under-Lyne*
Army Regulation, Comm. *cl.* 2, 837

Anatomy Act (1832) Amendment Bill
(*The Earl of Morley*)
l. Committee*; Report *May* 16 (No. 74)
Read 3ª* *May* 19
Royal Assent *May* 25 [34 *Vict.* c. 16]

Anderson, Mr. G., *Glasgow*
Army Regulation, Comm. *cl.* 2, 848; *cl.* 3, 1713, 1715, 1742
Betting Advertisements, 1114, 1178
Brazil—Claims of British Subjects, 806

Anson, Hon. Colonel A. H. A., *Bewdley*
Army—Powder, Supply of, Motion for a Paper, 1475
Army Regulation, Comm. Amendt. 406, 412, 425, 426, 427; *cl.* 2, 826, 852; Amendt. 1005, 1019, 1119, 1128; *cl.* 3, Amendt. 1267, 1277, 1556; Motion for Adjournment, 1577, 1579, 1729, 1742, 1799, 1925, 1935; Amendt. 1944, 1947; Motion for Adjournment, 1948; *cl.* 5, 1990; *cl.* 6, Motion for Adjournment, 2002

Anstruther, Sir R., *Fifeshire*
Army Regulation, Comm. *cl.* 3, 1800
Parliament—Public Business, 399

Arbuthnot, Major G., *Hereford City*
Army—Artillery, Promotion in the, 152, 1604, 1901
Commissariat, The, 1372, 1373
Army Service Corps, 961
Army Regulation, Comm. Motion for Adjournment, 451; *cl.* 2, 1018

Archdall, Captain M. E., *Fermanagh*
Army—Surrey Militia, 1540

Argyll, Duke of (Secretary of State for India)
Artillery, Address for Returns, 254
Bank Holidays, Comm. *cl.* 3, 866
Ecclesiastical Patronage (Scotland), 458
India — Indian Administration and Finance, 610
Paris, Treaty of, Motion for an Address, 799
University Tests, 3R. 706
Washington, Treaty of, Motion for an Address, 1896

Armitstead, Mr. G., *Dundee*
Army—Volunteers and Hyde Park, 1601

Army
Army Enlistment, Question, Colonel C. Lindsay; Answer, Mr. Cardwell *May* 23, 1176
Army Reserve and Enlistment — Age of Recruits, Observations, Lord Sandhurst; Reply, Lord Northbrook; debate thereon *June* 5, 1499
Army Service Corps, Question, Major Arbuthnot; Answer, Sir Henry Storks *May* 18, 961
Artillery, Promotion in the, Question, Major Arbuthnot; Answer, Captain Vivian *May* 4, 152; Question, Major Arbuthnot; Answer, Mr. Cardwell *June* 6, 1604; Question, Major Arbuthnot; Answer, Captain Vivian *June* 12, 1901
Autumn Camp of Exercise, Questions, Viscount Barrington, Colonel Loyd Lindsay; Answers, Mr. Cardwell *May* 25, 1253
Cavalry Regiments, Establishment of, Question, Colonel North; Answer, Mr. Cardwell *May* 5, 271
Defences—Armament of the Forts, Questions, Sir John Hay; Answers, Sir Henry Storks *June* 1, 1371
Martello Towers, Question, Mr. Buxton; Answer, Sir Henry Storks *June* 8, 1677
Martini-Henry Rifle—Amended Pattern, Question, Mr. Muntz; Answer, Mr. Cardwell *May* 4, 150; Explanation, Colonel Barttelot *May* 8, 404

Militia
Clothing—Issue of Great Coats, Question, Mr. Collins; Answer, Mr. Cardwell *May* 4, 151
Officers of Militia—Anglesey Militia, Question, Mr. Raikes; Answer, Mr. Cardwell *May* 22, 1113 — *Limerick Militia*, Question, Mr. Stacpoole; Answer, The Marquess of Hartington *June* 1, 1373—*Royal Tyrone Fusiliers*, Questions, Mr. Serjeant Sherlock, Colonel Stuart Knox; Answers, The Marquess of Hartington *May* 22, 1111—*Surrey Militia*, Question, Captain Archdall; Answer, Mr. Cardwell *June* 5, 1540

Recruiting—General Order on Recruiting—Pensions, Question, Captain Carington; Answer, Mr. Cardwell *May* 11, 623
Recruiting Arrangements—Short Service, Question, Colonel Stuart Knox; Answer, Mr. Cardwell *May* 18, 957

[*cont.*

ARMY—*cont.*
Recruiting—Terms of Enlistment, Question, Colonel C. Lindsay; Answer, Mr. Cardwell *June* 6, 1601
Sergeant Majors—Lodging Money, Question, Colonel Ruggles-Brise; Answer, Mr. Cardwell *May* 25, 1261
The 65th Regiment—Recruits for Indian Service, Question, Captain Talbot; Answer, Mr. Cardwell *June* 8, 1674
The 84th Regiment, Question, Major Dickson; Answer, Sir Henry Storks *June* 8, 1674
Volunteers
Artillery—Arms, Ammunition, &c., Question, Earl Percy; Answer, Sir Henry Storks *May* 2, 46
Autumn Camp of Exercise—Camp Equipments, Question, Colonel C. Lindsay; Answer, Sir Henry Storks *May* 18, 957
Marching through Hyde Park, Questions, Mr. Armitstead, Sir John Trelawny; Answers, Mr. Speaker, Mr. Ayrton *June* 6, 1601
Payment of Capitation Allowance, Question, Mr. Winn; Answer, Mr. Cardwell *June* 13, 1984
War Office—The Income Tax Commissioners, Question, Mr. O'Reilly; Answer, Mr. Cardwell *May* 4, 153
Woolwich Arsenal—Employment of Boys, Question, Colonel Beresford; Answer, Sir Henry Storks *May* 18, 958

Army—Artillery Force
Moved, "That an humble Address be presented to Her Majesty for the following Returns with regard to the force of Artillery in the United Kingdom: 1. Number of horse, field, and garrison artillerymen in the United Kingdom, exclusive of depôts: 2. Number of the same in depôts: 3. Number of militia and volunteer artillerymen in the United Kingdom: 4. Number of artillerymen in the fortresses of Gibraltar and Malta respectively" (*The Earl of Carnarvon*) *May* 5, 247; after debate, Motion agreed to
Personal Explanation, The Earl of Carnarvon; Reply, Lord Northbrook *May* 8, 336

Army—Compulsory Military Service
Moved, "That, in the opinion of this House, to place the country in a state of permanent security it is necessary to establish our military system on the basis of recognizing the obligation of all citizens to defend their country, and of fitting them by training for the discharge of their duty" (*Mr. O'Reilly*) *May* 2, 56 [House counted out]

Army—Supply of Powder
Amendt. on Committee of Supply *June* 2, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of the Report of Colonel Campbell (the Superintendent of the Royal Gun Factories) as to experiments made with the 35-ton Gun with ordinary and with pebble powder; and of the Chief Superintendent of

ARMY—*Supply of Powder—cont.*
Waltham Abbey (Colonel Younghusband's) Report, dated the 4th day of March, 1869" (*Colonel Beresford*), 1470; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

Army—Volunteers for India
Address moved for Return:—"Estimate of the number of soldiers above 20 years of age who will be required as volunteers from corps of all arms at home to complete the establishments of corps and of drafts ordered to proceed to India in the season 1871-72" (*The Earl of Longford*) *June* 8, 1669; after short debate, Motion amended, and agreed to
Address for Return of, Number of soldiers above 20 years of age who volunteer from corps of all arms at home to complete the establishments of corps and of drafts ordered to proceed to India in the season 1871-72
The 65th Regiment—Recruits for Indian Service, Question, Captain Talbot; Answer, Mr. Cardwell *June* 8, 1674

Army Regulation Bill — Miscellaneous Questions
Commissions, Questions, Lord Elcho; Answers, Mr. Cardwell *May* 25, 1258
Commissions to Militia Officers, Questions, Major Arbuthnot, Colonel Wilson Patten; Answers, Mr. Cardwell *June* 1, 1372
Commissions—War Office Letter, Question, Colonel Stuart Knox; Answer, Mr. Cardwell *May* 25, 1265
Division of Bill, Question, Sir George Grey; Answer, Mr. Cardwell *June* 12, 1906; Moved, "That this House do now adjourn" (*Mr. Disraeli*); after long debate, Motion withdrawn; Questions, Lord Garlies, Colonel Jervis, Mr. Hunt, Colonel Stuart Knox; Answers, Mr. Cardwell, The Chancellor of the Exchequer *June* 13, 1983
Exchanges, Question, Lord Eustace Cecil; Answer, Mr. Cardwell *May* 25, 1261
Pensions, Question, Colonel C. Lindsay; Answer, Mr. Cardwell *May* 18, 956
Promotion by Selection, Question, Lord Garlies; Answer, Mr. Cardwell *June* 5, 1535
Recruiting, Question, Lord Eustace Cecil; Answer, Mr. W. M. Torrens *June* 12, 1930
Reserve Forces, Employment of Army Officers in the, Question, Lord Eustace Cecil; Answer, Mr. Cardwell *May* 15, 809

Army Regulation Bill [Bill 39]
(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *May* 8, 405
Amendt. to leave out from "That" and add "in any scheme for the abolition of Purchase in the Army the State as well as the Officers must forego the advantages hitherto derived from that system, and in order to give the State that unrestricted power over the Officers of the Army which it is desirable it should possess, and also in justice to the

Army Regulation Bill—cont.
Officers of the Army themselves, the regulation value of their Commissions shall be at once returned to them" (*Colonel Anson*); after long debate, Question put, "That the words, &c.;" A. 250, N. 187; M. 63
Original Question again proposed; Moved, "That the Debate be now adjourned" (*Major Arbuthnot*); Question put; A. 178, N. 243; M. 65
Original Question again proposed; Moved, "That this House do now adjourn" (*Colonel Jervis*); after further short debate, Question put; A. 127, N. 223; M. 96
Original Question again proposed; Moved, "That the Debate be now adjourned" (*Colonel Stuart Knox*); Question put; A. 105, N. 207; M. 102
Original Question again proposed; Moved, "That this House do now adjourn" (*Colonel Corbett*); Question put; A. 99, N. 189; M. 90
Original Question again proposed; Moved, "That the Debate be now adjourned" (*Sir William Bagge*); Question put; A. 98, N. 178; M. 80
Original Question again proposed; Whereupon Motion made, and Question, "That this House do now adjourn" (*Sir William Verner*) put, and negatived
Original Question again proposed; Debate adjourned

Question again proposed; Debate resumed *May* 11, 636; after long debate, Question, "That Mr. Speaker, &c." put, and agreed to; Committee—R.P.

Committee *May* 15, 811
Preliminary.
Clause 1 (Short title of Act)
Part I.—*Commissions in Her Majesty's Forces.*
Clause 2 (Sale of Commissions prohibited after a certain day); Committee—R.P.

Committee *May* 18, 1005
Clause 2 (Sale of Commissions prohibited after a certain day); Committee—R.P.

Committee *May* 22, 1118
Clause 2 (Sale of Commissions prohibited after a certain day); Committee—R.P.

Committee *May* 25, 1267
Clause 3 (Compensation to officers holding saleable commissions); Committee—R.P.

Committee *June* 5, 1544
Clause 3 (Compensation to officers holding saleable commissions); Committee—R.P.

Moved, "That this House will To-morrow, at Two of the clock, again resolve itself into the said Committee" (*Mr. Cardwell*)
Amendt. to leave out "To-morrow, at Two of the clock" in order to insert the words "upon Thursday" (*Mr. Bentinck*)
Question proposed, "That the words, &c.;" Moved "That the Debate be now adjourned" (*Mr. Collins*); after short debate, Question put; A. 174, N. 245; M. 71
Question again proposed, "That the words, &c.;" Moved, "That this House do now adjourn" (*Mr. Knight*); Question put; A. 154; N. 225; M. 71

Army Regulation Bill—cont.
Question again proposed, "That the words, &c.;" Moved, "That the Debate be now adjourned" (*Lord George Hamilton*); Question put, and negatived
Question again proposed, "That the words, &c.;" Amendt. and Motion withdrawn

Committee *June* 8, 1690
Clause 3 (Compensation to officers holding saleable commissions); Committee—R.P.

Committee *June* 9, 1794
Clause 3 (Compensation to officers holding saleable commissions); Committee—R.P.

Committee *June* 12, 1931
Clause 3 (Compensation to officers holding saleable commissions); Committee—R.P.

Committee *June* 13, 1985
Clause 4 (Compensation to officers of certain Indian regiments)
Clause 5 (Provision for expense of compensating officers)
Part II.—*Army Enlistment.*
Clause 6 (Rules as to enlistment); Committee—R.P.

Attorney General, The (Sir R. P. Collier), *Plymouth*
Chancery Business, Progress of, 45
Contractors Act, 472
Ecclesiastical Titles Act Repeal, Preamble, 1960
Government Law Reform Bills, 1534
Intoxicating Liquors (Licensing), 149

Ayrton, Right Hon. A. S. (Chief Commissioner of Works), *Tower Hamlets*
Army—Volunteers and Hyde Park, 1602
Coal Fields of South Wales, 716
India—East Indian Administration, Res. 2040
Metropolis—Questions, &c.
  Bethnal Green Museum, 1538
  Brompton Cemetery, 1328
  Wellington Monument, 627
Metropolis—Hyde Park, Res. 1378
Metropolis Water, 2R. 1318
Natural History Museum, South Kensington, 402
Ordnance Survey for England, 962
Parliament — Accommodation for Members, 1255
Supply—Office of Works, 1423, 1424
  Offices of the House of Commons, 1383
  Patent Office, 1416

Aytoun, Mr. R. Sinclair, *Kirkcaldy, &c.*
Army Regulation, Comm. *cl.* 2, 834; *cl.* 3, 1718
National Debt, Res. 1468, 1469
Supply—Votes on Account, 1310

Baby Farming
Amendt on Committee of Supply *May* 5, To leave out from "That," and add "a Select Committee be appointed to inquire as to the best means of preventing the destruction of the lives of infants put out to nurse for hire by their parents" (*Mr. Charley*), 320; after short debate, Question, "That the words, &c." put, and negatived; words added; main Question, as amended, put, and agreed to; List of the Committee, 321

[*cont.*

Bagge, Sir W., *Norfolk, W.*
Army Regulation, Comm. Motion for Adjournment, 453

Bagwell, Mr. J., *Clonmel*
Ireland—Constabulary, 915
Local Legislation (Ireland), 2R. Motion for Adjournment, 126
Protection of Life and Property (Ireland), 2R. 905; Comm. *cl.* 7, Amendt. 1352, 1353; *cl.* 10, 1357; *cl.* 11, Amendt. 1363

Ball, Right Hon. J. T., *Dublin University*
Ecclesiastical Titles Act Repeal, Comm. 1959; Preamble, 1960
Established Churches, Res. 536
Protection of Life and Property (Ireland), 2R. 900; Comm. *cl.* 2, 1350; *cl.* 8, 1354; Consid. 1786

Bank Holidays Bill
(*The Marquess of Salisbury*)
l. Bill read 2ª, after debate *May* 4, 128 (No. 70)
Committee *May* 16, 861
Moved, "That it be an Instruction to the Committee that they have power to make provision for extending the Bill to payments and acts other than the payments of bills of exchange and promissory notes" (*The Marquess of Salisbury*); after short debate, Motion withdrawn
Read 3ª* *May* 19
c. Question, Mr. M'Laren; Answer, Mr. Speaker *May* 22, 1118
l. Royal Assent *May* 25 [34 *Vict.* c. 17]
c. Questions, Mr. Macfie; Answers, The Lord Advocate *June* 5, 1532

Bankruptcy Disqualification Bill [H.L.]
(*The Lord Chancellor*)
l. Read 3ª* *May* 2 (No. 83)
c. Read 1º* *June* 1 [Bill 168]
Read 2º* *June* 8

Bankruptcy (Ireland) Amendment Bill
(*Mr. Solicitor General for Ireland, The Marquess of Hartington*)
c. Read 2º* *May* 4 [Bill 109]
Committee*; Report *June* 1 [Bill 172]

Barnett, Mr. H., *Woodstock*
Metropolis—Hyde Park, 1380

Barrington, Viscount, *Eye*
Army—Autumn Camp, 1253

Barttelot, Colonel W. B., *Sussex, W.*
Army—Martini-Henry Rifle, Explanation, 404
Army Regulation, Comm. 417; *cl.* 2, 842, 844, 1020; *cl.* 3, 1296, 1936, 1945; *cl.* 5, 1996
Burials, Comm. *cl.* 1, Amendt. 1666
Ways and Means, Report, 186

Bass, Mr. M. A., *Staffordshire, E.*
India—Civil Service Furlough, 1677

Bass, Mr. M. T., *Derby Bo.*
Intoxicating Liquors (Licensing), 149
Taxation, Direct and Indirect, 625

Baxter, Mr. W. E. (Secretary to the Treasury), *Montrose, &c.*
Crown Rights on the Essex Coast, 1541
Government Property, Rates on, 807
Ireland—Valuation, General, 1177
New Forest, 807
Supply—Copyhold, &c. Commission, 1412, 1413
  Office of Woods, 1422
  Offices of the House of Lords, 1381
  Patent Office, 1414, 1416
  Paymaster General, 1418
  Treasury, 1384, 1385
  Votes on Account, 1311, 1368, 1369

Beach, Sir M. E. Hicks-, *Gloucestershire, E.*
Poor Law (Metropolis), Address for a Commission, 304

Beach, Mr. W. W. B., *Hampshire, N.*
Veterinary Department of the Privy Council, Motion for a Committee, 1492

Beauchamp, Earl
Bank Holidays, Comm. Schedule, Amendt. 866
Ecclesiastical Courts, 2R. 1763
University Tests, Comm. *add. cl.* 361, 398

Benefices Resignation Bill
(*The Lord Bishop of Winchester*)
c. Read 2º* *May* 3 [Bill 111]
Select Committee nominated; List of the Committee *May* 18, 1022
Report of Select Committee *June* 2 [No. 266]
Re-comm.* *June* 8 [Bill 174]

Bentinck, Mr. G. A. F. Cavendish-*Whitehaven*
Cab Regulations, 330
Duchy of Lancaster, 322
Natural History Museum, South Kensington, 402
Parliament—Business of the House, 696
  Counts-out, Recent, 1688
  Morning Sittings, 963
University Tests, Lords' Amendts., Amendt. 1181, 1187

Bentinck Mr. G. W. P., *Norfolk, W.*
Army Regulation, Comm. *cl.* 2, 824; *cl.* 3, Amendt. 1580, 1582, 1919; *cl.* 5, Motion for Adjournment, 1999
Navy—Income Tax on Officers in the, 874
Supply—Votes on Account, 1311
Veterinary Department of the Privy Council, Motion for a Committee, 1498

Beresford, Colonel F. M., *Southwark*
Army—Boys at Woolwich Arsenal, 958
Army—Powder, Supply of, Motion for a Paper, 1470, 1474, 1481
Customs—Leave of Absence, 1260
Registration of Parliamentary Voters, 2R. 591
Sierra Leone—Montagu, Mr., 1928

Betting Advertisements
Question, Mr. Anderson ; Answer, Mr. Bruce *May* 22, 1114 ; *May* 23, 1178

Betting Bill [H.L.]
(*The Earl of Morley*)
l. Presented ; read 1ª * *May* 19 (No. 129)
Read 2ª *June* 13, 1973

Bills of Exchange and Holidays Bill
(*Mr. Watkin Williams, Mr. Locke*)
c. Ordered ; read 1° * *June* 8 [Bill 182]

Bills of Exchange and Promissory Notes Bill (*Mr. Baxter, Mr. Chancellor of the Exchequer*)
c. Considered * *May* 4 [Bill 91]
Read 3° * *May* 5
l. Read 1ª * (*The Marquess of Lansdowne*) *May* 8 (No. 102)

Birley, Mr. H., *Manchester*
Ways and Means, Report, 195

Blackwater Bridge Bill
Questions, Mr. Sclater-Booth, Mr. Hunt ; Answers, Mr. Speaker, Mr. Gladstone, Mr. Bouverie *May* 25, 1266

Blennerhasset, Sir R., *Galway Bo.*
France and Germany, 269

Board of Trade Library
Question, Mr. Bowring ; Answer, Mr. Chichester Fortescue *May* 2, 48

Bourke, Hon. R., *Lynn Regis*
Extradition, Law of, 1435
Pilotage, Compulsory—Compensation, 624

Bouverie, Right Hon. E. P., *Kilmarnock, &c.*
Blackwater Bridge, 1266
Income Tax, &c. Re-comm. 635
Permissive Prohibitory Liquor—Division on, 962
Supply—Offices of the House of Commons, 1383
University Tests, Lords' Amendts. *cl.* B, Amendt. 1202 ; *cl.* C, 1203
Women's Disabilities, 2R. Amendt. 78

Bowring, Mr. E. A., *Exeter*
Army Regulation, Comm. *cl.* 3, 1942
Education—Industrial Schools, Children in, 1902
International Exhibition, Pottery in the, 1262
Library of the Board of Trade, 48, 82
[*cont.*

Bowring, Mr. E. A.—*cont.*
Supply—Board of Trade, 1390
Charity Commission, 1408
Copyhold, &c. Commission, 1412
Offices of the House of Commons, 1382
Stationery Office, 1421
Treasury, 1384

Brand, Mr. H. R., *Hertfordshire*
Registration of Parliamentary Voters, 2R. 578, 593

Brassey, Mr. T., *Hastings*
Navy—Naval Cadets, Res. 2011, 2018, 2023

Brazil—Claims of British Subjects
Question, Mr. Anderson ; Answer, Viscount Enfield *May* 15, 806

Brewer, Dr. W., *Colchester*
Army Regulation, Comm. *cl.* 2, 838
Government Property, Rates on, 807
Poor Law (Metropolis), Address for a Commission, 308

Bright, Mr. Jacob, *Manchester*
Veterinary Department of the Privy Council, Motion for a Committee, 1490
Women's Disabilities, 2R. 68, 120

Brise, Colonel S. B. Ruggles-, *Essex, E.*
Army—Lodgings of Sergeant Majors, 1261
Army Regulation, Comm. *cl.* 3, 1293, 1294, 1295
Crown Rights on the Essex Coast, 1541

Bristowe, Mr. S. B., *Newark*
Registration of Parliamentary Voters, 2R. 589
University Tests, Lords' Amendts. *cl.* B, 1206

Brixton Prison Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Ordered ; read 1° * *June* 5 [Bill 177]

Broadley, Mr. W. H. H., *York—E. R.*
Election Inquiries, 1534

Brogden, Mr. A., *Wednesbury*
Coal Fields of South Wales, 716

Brooks, Mr. W. C., *Cheshire, E.*
Customs and Income Tax, Comm. 1002

Brown, Mr. A. H., *Wenlock*
International Exhibition, Pottery in the, 1262

Bruce, Right Hon. H. A. (Secretary of State for the Home Department), *Renfrewshire*
Baby Farming, Motion for a Committee, 320
Betting Advertisements, 1114, 1179
Betting Houses in Scotland, 873
Burials, Comm. *cl.* 1, 1659, 1660, 1663, 1665
Cab Regulations, 331
[*cont.*

BRUCE, Right Hon. H. A.—*cont.*
- Corporate Bodies, Land belonging to, 956
- Criminal Law—Questions, &c.
  - Aldershot, Conviction at, 874, 1116
  - Case of Mrs. Ingham, 1325
  - Habitual Criminals, 959
  - Lovell, Mary, Case of, 1599
  - Mackey, Mr., Case of, 961
  - Smith, James, Case of, 47
- Education—Industrial Schools, Children in, 1902
- Established Churches, Res. 500, 536
- Extradition, Law of, 1435
- Foul Linen, Conveyance of, in Cabs, 1326
- French Refugees, 1327
- Game Laws, 631, 1179, 1930
- Gunpowder in Private Stock, &c. 716
- Judicial Committee, Appeals to the, 1540
- Licensing, 44
- Metropolis Water, 1267; 2R. 1314, 1322, 1323, 1370
- Mines Regulation, 916
- Parliament—Public Business, 402, 1373, 1433
- Pedlars' Act, 958
- Permissive Prohibitory Liquor, 2R. 921, 947
- Police—Silverton, Inspector, Case of, 1903
- Public Houses—Transfer of Licences, 808
- Registration of Parliamentary Voters, 2R. 591
- Sunday Trading, 47, 715
- Supply—Charity Commission, 1399
  - Lord Privy Seal, 1396
  - Votes on Account, 1370
- Tea, Adulteration of, 960
- Water Supply (London), Res. 1239

BRUCE, Sir H. H., *Coleraine*
- Protection of Life and Property (Ireland), 2R. Motion for Adjournment, 914, 1045, 1047

BRUEN, Mr. H., *Carlow Co.*
- Ireland—Railways, Res. 334
- Protection of Life and Property (Ireland), Consid. 1788

BUCKHURST, Lord
- Navy—"Captain," Loss of the, 261;—Case of Mrs. Burgoyne, 462, 466, 467
- Small Pox (Metropolis), Motion for Returns, 701

BULLER, Sir E. M., *Staffordshire, N.*
- Army Regulation, Comm. *cl.* 3, 1568

Burial Grounds Bill [H.L.]

(*The Earl Beauchamp*)

l. Presented; read 1ª* *June* 13 (No. 181)

Burial Law Amendment Bill

(*Mr. Winterbotham, Mr. Secretary Bruce*)

c. Ordered; read 1º* *May* 4 [Bill 125]
Read 2º* *May* 11
Committee*; Report *May* 15
Read 3º* *May* 17
l. Read 1ª* (*The Earl of Morley*) *May* 19 (No. 126)

Burials Bill [Bill 7]

(*Mr. Osborne Morgan, Mr. Hadfield, Mr. M'Arthur*)

c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 7, 1637
Amendt. to leave out from "That" and add "this House will, upon this day month, resolve itself into the said Committee" (*Mr. Cawley*); Question put, "That the words, &c.;" A. 171, N. 100; M. 71; main Question, "That Mr. Speaker, &c." put, and agreed to; Committee—R.P.

BURKE, Mr. E. HAVILAND-, *Christchurch*
- India—Pensions, 624

BURY, Viscount, *Berwick-on-Tweed*
- Army Regulation, Comm. 666; *cl.* 2, 1011, 1013; *cl.* 3, 1303, 1572, 1596, 1947
- Customs and Income Tax, Comm. 1001
- Supply—Lord Privy Seal, 1394
- United Kingdom and the Colonies, Motion for a Committee, 755, 757, 758

BUXTON, Mr. C., *Surrey, E.*
- Army—Martello Towers, 1677

CADOGAN, Earl
- Metropolis — Wellington Monument, 1034, 1036
- Natural History Collection, South Kensington, 1031

CADOGAN, Hon. F. W., *Cricklade*
- Permissive Prohibitory Liquor, 2R. 941
- Starvation, Alleged Death from, 715

CAIRNS, Lord
- Bank Holidays, Comm. 863; *cl.* 1, 865
- Criminal Law Amendment, Comm. *cl.* 1, Amendt. 779, 781
- Irish Land Act, 1975
- Natural History Collection, South Kensington, 1028, 1030
- Protection of Life and Property (Ireland), 2R. 37; Comm. 132
- Sequestration, 2R. 601
- United States—Joint High Commission, 1107
- Washington, Treaty of, Motion for an Address, 1881

CALLAN, Mr. P., *Dundalk*
- Ireland—Jury Panels of Monaghan, 1112
  - Suspension of the Habeas Corpus Act, 1174

CAMBRIDGE, Duke of (Field Marshal Commanding-in-Chief)
- Army Reserve and Enlistment, 1516
- Artillery, Address for Returns, 258

CAMERON, Mr. D., *Invernessshire*
- Scotland—Postal Communication, 1251

Camperdown, Earl of (Lord of the Admiralty)
Navy—" Captain," Loss of the, 262 ;—Case of Mrs. Burgoyne, 465
Coal, Supply of, 872

Canada Bill [H.L.]
(*The Earl of Kimberley*)
l. Presented ; read 1ª* *May* 15 (No. 112)
Bill read 2ª *May* 23, 1171
Committee* ; Report *June* 5
Read 3ª* *June* 6
c. Read 1°* *June* 13 [Bill 192]

Candlish, Mr. J., *Sunderland*
Army Regulation, Comm. *cl.* 2, 1139 ; *cl.* 3, 1558, 1574, 1595, 1597, 1801
Burials, Comm. *cl.* 1, 1664
Postage Rates—United States, Res. 58
University Tests, Lords' Amendts. *cl.* C, 1207

Canterbury, Archbishop of
Ecclesiastical Courts, 2R. 1757

Cardwell, Right Hon. E. (Secretary of State for War), *Oxford City*
Army—Questions, &c.
Anglesey Militia, 1113
Artillery, Promotion in the, 1604
Autumn Camp, 1253, 1254
Cavalry Regiments, Establishment of, 271
Commissions, 1259, 1372, 1373
Enlistment, 1176
Exchanges, 1261
Lodgings of Sergeant Majors, 1261
Martini-Henry Rifle, Amended, 151
Militia—Great Coats to the, 151
Promotion by Selection, 1535
Recruiting, General Orders on, 623, 957, 1601
Reserve Forces, 809
65th Regiment, 1675
Surrey Militia, 1540, 1541
Volunteers, Capitation Allowance to, 1984
Army Regulation, Comm. 440, 452, 689, 693, 695 ; *cl.* 1, 811 ; *cl.* 2, 851, 957, 1008, 1010, 1017, 1119, 1126, 1128, 1163, 1265 ; *cl.* 3, 1275, 1276, 1278, 1279, 1283, 1293, 1549, 1560, 1577 ; Amendt. 1580, 1592, 1597, 1712, 1734, 1744, 1797, 1802, 1805, 1906, 1919, 1924, 1926, 1927, 1928, 1936, 1939, 1940, 1941, 1943, 1945, 1950, 1983, 1984 ; *cl.* 4, 1986 ; *cl.* 5, 1987, 1989 ; *cl.* 6, 2003 ; Amendt. 2004, 2008
India—Cost of Drill, Indian Service, 403
Parliament—Counts-out, Recent, 1682
Public Business, 1544
War Office Income Tax Commissioners, 153

Carington, Hon. Captain W. H. P., *Wycombe* (*Chepping*)
Army—General Order on Recruiting, 623

Carlisle, Bishop of
Ecclesiastical Courts, 2R. 1767
University Tests, Comm. *add. cl.* 373, 394

Carnarvon, Earl of
Artillery, Address for Returns, 247, 260 ; Explanation, 336
Leeward Islands, 2R. 1025
United States—Joint High Commission, 1104, 1108
University Tests, Comm. *add. cl.* 370, 398
Washington, Treaty of, Motion for an Address, 1871

Carter, Mr. R. M., *Leeds*
Cattle from Prussia, 472

Cartwright, Mr. W. C., *Oxfordshire*
Danubian Principalities, 1534

Cathedral Establishments
Moved, That there be laid before the House, Copies of Suggestions drawn by Cathedral Bodies for the improvement of Cathedral Establishments (*The Lord Archbishop of York*) *May* 9, 460 ; after short debate, Motion agreed to

Cattle Disease
Cattle from Prussia, Question, Mr. Carter ; Answer, Mr. W. E. Forster *May* 9, 472
Cattle Trade — Importation from Germany, Question, Mr. Norwood ; Answer, Mr. W. E. Forster *June* 9, 1778

Cave, Right Hon. S., *New Shoreham*
Habitual Criminals, 959
India—Nawab of Tonk, Motion for a Committee, 777
Trust Funds Investments, 2R. 575
Water Supply (London), Res. Amendt. 1246
Ways and Means, Report, 210

Cawley, Mr. C. E., *Salford*
Burials, Comm. Amendt. 1637 ; *cl.* 1, Amendt. 1656, 1661, 1663
Water Supply (London), Res. 1248

Cecil, Lord E. H. B. G., *Essex, W.*
Army—Exchanges, 1261
Recruiting, 1930
Reserve Forces, 809
Army Regulation, Comm. 679 ; *cl.* 2, 1009, 1014, 1121 ; *cl.* 3, 1303, 1568, 1577, 1691 ; Amendt. 1804, 1938 ; Amendt. 1942, 1943
Game Laws, 1930
India—European Troops, 150
Tea, Adulteration of, 959, 1262, 1434

Chadwick, Mr. D., *Macclesfield*
Income Tax, Motion for a Committee, 1074, 1076

Chambers, Mr. M., *Devonport*
Army Regulation, Comm. 435, 682 ; *cl.* 2, 835 ; *cl.* 3, 1570, 1723
Poor Law (Metropolis), Address for a Commission, 316
Protection of Life and Property (Ireland), Comm. *cl.* 10, 1359
Supply—Charity Commission, 1408
Civil Service Commission, 1412
Copyhold, &c. Commission, 1413, 1414
Patent Office, 1415
Ways and Means, Report, 196

CHAMBERS, Mr. T., *Marylebone*
  Ecclesiastical Titles Act Repeal, Preamble, 1960
  Metropolis Water, 2R. 1322

CHANCELLOR, The LORD (Lord HATHERLEY)
  Adjutants (Jury) Exemption, 2R. Amendt. 601
  County Justices Qualification Amendment, 2R. 261
  Criminal Law Amendment, Comm. *cl.* 1, 781
  Ecclesiastical Courts, 2R. 1764
  Irish Land Act, 1975, 1976
  Protection of Life and Property (Ireland), 2R. 41
  University Tests, Comm. *add. cl.* 398 ; 3R. 712
  Washington, Treaty of, Motion for an Address, 1890

CHANCELLOR of the EXCHEQUER (Right Hon. R. LOWE), *London University*
  Armorial Bearings, 623
  Army Regulation, Comm. *cl.* 3, 1983 ; *cl.* 5, 1995
  Custom House Clerks, 151
  Customs—Leave of Absence, 1260
  Customs and Income Tax, Comm. 978, 980 ; *add. cl.* 999
  Duchy of Lancaster, 326
  Gun Licence—Volunteers, 1676
  Income Tax, Motion for a Committee, 1091
  Income Tax, &c. 3R. 577 ; Re-comm. 631, 635
  Income Tax Assessments, 1325
  Indian Officers, Income Tax on, 1115
  Inland Revenue—Licences for Attendants on Lunatics, 806
  Ireland—Railways, Res. 334
  Metropolis—Wellington Monument, 627
  National Debt, Res. 1451, 1452, 1465
  Parliament—Public Business, 402
  Silver Coinage, 1177, 1776
  Supply—Board of Trade, 1390
    Civil Service Commission, 1411, 1412
    Friendly Societies, 1421
    Lord Privy Seal, 1391
    Office of Woods, 1423
    Queen's and Lord Treasurer's Remembrancer, 1430, 1432
  Taxation, Direct and Indirect, 625
  Tea, Adulteration of, 1262, 1434
  Terminable Annuities, 955
  Ways and Means, Report, 174
  Woods and Forests—Crown Property, 471

Chancery, Court of — Vice Chancellor Bacon's Court
  Question, Mr. B. Samuelson ; Answer, The Attorney General *May* 2, 45

Charities, &c. Exemption Bill [Bill 23]
(*Mr. Muntz, Viscount Sandon, Mr. Wheelhouse*)
c. Moved, "That the Bill be now read 2°" *May* 10, 593
  Amendt. to leave out "now," and add "upon this day six months" (*Mr. Hardcastle*) ; Question proposed, "That 'now,' &c. ;" after debate, Moved, "That the Debate be now adjourned" (*Mr. Stansfeld*) ; Question put, A. 84, N. 117 ; M. 33
  Question again proposed, "That 'now,' &c. ;" Debate adjourned

CHARLEY, Mr. W. T., *Salford*
  Baby Farming, Motion for a Committee, 320
  Cab Regulations, 333
  Ecclesiastical Titles Act Repeal, 1117 ; Preamble, 1960
  Post Office—Letter Receivers, 155
    Telegraph Clerks, Compensation to, 1110
  Protection of Life and Property (Ireland), Comm. *cl.* 11, 1367 ; Consid. 1791
  Sunday Trading, 715

Charters (Colleges) Bill
(*The Lord Privy Seal*)
l. Committee* *May* 4 (Nos. 73-93)

CHELMSFORD, Lord
  County Justices Qualification Amendment, 2R. 261
  Criminal Law Amendment, Comm. *cl.* 1, 780

China
  British Minister at Pekin, Question, Mr. Magniac ; Answer, Mr. Gladstone *May* 5, 271
  Communication from the Chinese Government, Question, Sir John Lubbock ; Answer, Viscount Enfield *June* 5, 1542
  Hong Kong — Gambling Houses, Question, Colonel Sykes ; Answer, Mr. Knatchbull-Hugessen *May* 25, 1252
  Missionaries—Instructions to Ministers, &c., Question, Mr. Macfie ; Answer, Viscount Enfield *May* 15, 805

Citation Amendment (Scotland) Bill
(*The Earl of Airlie*)
l. Bill read 2ª, after debate *May* 16, 868 (No. 76)
  Committee * *June* 13 (No. 177)

CLANRICARDE, Marquess of
  Protection of Life and Property (Ireland), 2R. 36 ; 3R. 266
  United States—Joint High Commission, 620

CLAY, Mr. J., *Kingston-on-Hull*
  Army Regulation, Comm. *cl.* 3, 1304
  Metropolis Water, 2R. 1320
  Water Supply (London), Res. 1231

Clerk of the Peace Bill [H.L]
(*The Lord Dufferin*)
l. Presented ; read 1ª * *June* 13 (No. 180)

CLIFFORD, Mr. C. CAVENDISH, *Newport, Isle of Wight*
  University Tests, Lords' Amendts. *cl.* A, 1192

Coal Fields of South Wales
  Question, Mr. Brogden ; Answer, Mr. Ayrton *May* 12, 716

Cochrane, Mr. A. D. W. R. Baillie, *Isle of Wight*
France—Paris, Destruction of, 1264
Navy—H.M.S. "Captain"—Case of Mrs. Burgoyne, 468
Parliament—Counts-out, Recent, 1689
United Kingdom and the Colonies, Motion for a Committee, 758, 768

Colchester, Lord
University Tests, Comm. *add. cl.* 378

Colebrooke, Sir T. E., *Lanarkshire, S.*
India—Nawab of Tonk, Motion for a Committee, Motion for Adjournment, 777

Coleridge, Sir J. D., *see* Solicitor General, The

Collier, Sir R. P., *see* Attorney General, The

Collins, Mr. T., *Boston*
Army—Militia, Great Coats to the, 151
Army Regulation, Comm. *cl.* 3, Motion for Adjournment, 1587, 1597; *cl.* 6, 2008
Burials, Comm. 1646, 1663
Charities, &c. Exemption, 2R. 597
Metropolis Water, 2R. 1320; Motion for Adjournment, 1322
Parliament—Counts-out, Recent, 1680, 1685
Postage Rate—United States, Res. 65
Registration of Parliamentary Voters, 2R. 585
Supply—Lord Privy Seal, 1393
Ways and Means, Report, 221

Colonies
Amendt. on Committee of Supply *May* 12, To leave out from "That," and add "a Select Committee be appointed to consider whether any and what ameliorations should, in concurrence with the Colonies, be made of the relations between the United Kingdom and the Colonies, with a view to the permanent maintenance of the best and most cordial interconnection between all parts of the Empire" (*Mr. Macfie*), 750; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

Colonsay, Lord
Bank Holidays, Comm. Amendt. 863; *cl.* 3, Amendt. 865, 866; Schedule, Amendt. 867
Citation Amendment (Scotland), 2R. 869

Compulsory Pilotage Bill—Compensation
Question, Mr. Bourke; Answer, Mr. Chichester Fortescue *May* 11, 624

Conolly, Mr. T., *Donegal Co.*
Army Regulation, Comm. *cl.* 2, 1018; *cl.* 3, 1582; *cl.* 5, 2001
Established Churches—Archbishop of Dublin, 627
Protection of Life and Property (Ireland), 2R. 1057; Comm. 1348; Consid. 1782, 1793

Consolidated Fund (£7,000,000) Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter*)
c. Resolution in Committee* *May* 11
Resolution reported, and agreed to; Bill ordered* *May* 12
Read 1°* *May* 15
Read 2°* *May* 17
Committee*; Report *May* 18
Read 3°* *May* 19
l. Read 1ª* (*The Marquess of Lansdowne*) *May* 19
Read 2ª*; Committee negatived; Read 3ª *May* 22
Royal Assent *May* 25 [34 *Vict.* c. 20]

Contractors Act—Members of Parliament
Question, Mr. Mitchell Henry; Answer, The Attorney General *May* 9, 472
Select Committee appointed "to inquire into the operation of the Contractors Act (22 Geo. 3, c. 45), with a view to determine whether it should be amended or repealed, or, on the other hand, be rendered more stringent" (*Mr. Mitchell Henry*) *May* 22, 1170

Conventual and Monastic Institutions
Select Committee nominated; List of the Committee *June* 13, 2044

Corbett, Colonel E., *Shropshire, S.*
Army Regulation, Comm. Motion for Adjournment, 453; *cl.* 2, 833, 1013; *cl.* 3, 1284, 1561, 1741
Veterinary Department of the Privy Council, Motion for a Committee, 1489

Corporate Bodies, Land Belonging to—Return
Question, Mr. Wren Hoskyns; Answer, Mr. Bruce *May* 18, 956

Corrance, Mr. F. S., *Suffolk, E.*
Burials, Comm. 1654
Ways and Means, Report, 200

Corrigan, Sir D. J., *Dublin City*
Army Regulation, Comm. *cl.* 3, 1560, 1576
Permissive Prohibitory Liquor, 2R. 945

Corrupt Practices Act Amendment Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Ordered; read 1°* *May* 18 [Bill 152]
Read 2°* *June* 5
Committee*; Report *June* 8
Read 3°* *June* 12
l. Read 1ª* (*Earl of Morley*) *June* 13 (No. 173)

Corry, Right Hon. H. T. L., *Tyrone Co.*
Army Regulation, Comm. *cl.* 2, 831
Navy—"Thunderer" and "Devastation," 629
Navy, Manning the, Motion for a Commission, 1634

County Justices Qualification Amendment Bill (*The Lord Chancellor*)
l. Bill read 2ª *May* 5, 261 (No. 67)
Committee* *May* 11 (No. 108)
Report* *May* 12
Read 3ª* *May* 15
Royal Assent *May* 25 [34 *Vict.* c. 18]

Courts of Justice (Additional Site) Bill
(*Mr. Ayrton, Mr. Baxter*)
c. Ordered ; read 1° * *May* 9 [Bill 133]
Read 2° * *May* 15
Referred to a Select Committee * *May* 18
Select Committee nominated ; List of the Committee *May* 25, 1323
Ordered, "That all Petitions presented during the present Session against the said Bill be referred to the said Committee ; and such of the Petitioners as pray to be heard by themselves, their Counsels or agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the said Bill against the said Petitions (*Mr. Ayrton*)
Report * *June* 7 [Bill 179]
Re-comm. * ; Report *June* 12
Read 3° * *June* 13

Cowper, Earl
University Tests, Comm. *add. cl.* 397

Cowper-Temple, Right Hon. W. F., *Hampshire, S.*
Burials, Comm. *cl.* 1, 1662

Craufurd, Mr. E. H. J., *Ayr, &c.*
Charities, &c. Exemption, 2R. 597
Metropolis Water, 2R. Amendt. 1317, 1370
Scotland—Administration of Justice, 1098
Supply—Queen's and Lord Treasurer's Remembrancer, 1429, 1432, 1433
University Tests, Lords' Amendts. *cl.* B, 1205 ; *cl.* C, 1208
Water Supply (London), Res. 1249

Crawford, Mr. R. W., *London*
Income Tax, Motion for a Committee, 1086
Parliament—Public Business, 402
Ways and Means, Report, 169

Crichton, Viscount, *Enniskillen*
Ireland—Stamp Distributors, 625

Criminal Law
Case of James Smith, Question, Mr. Ridley ; Answer, Mr. Bruce *May* 2, 47
Case of Mr. G. Mackey, Question, Mr. Newdegate ; Answer, Mr. Bruce *May* 18, 960
Case of Mrs. Ingham, Question, Mr. Wilmot ; Answer, Mr. Bruce *May* 26, 1325
Case of Mary Lovell, Question, Mr. P. A. Taylor ; Answer, Mr. Bruce *June* 6, 1599
Conviction of Six Children at Aldershot, Questions, Mr. Straight, Mr. H. A. Herbert ; Answers, Mr. Bruce *May* 16, 873 ; Question, Mr. Straight ; Answer, Mr. Bruce *May* 22, 1115

Criminal Law Amendment (Violence, Threats, &c.) Bill
(*The Earl of Morley*)
l. Committee *May* 15, 778 (Nos. 69-115)
Report * *May* 16
Read 3ª * *May* 19

Cross, Mr. R. Assheton, *Lancashire, S.W.*
Army Regulation, Comm. *cl.* 2, 1151 ; *cl.* 3, 1690 ; *cl.* 5, 1999
Supply—Lord Privy Seal, 1396
Queen's and Lord Treasurer's Remembrancer, 1431, 1432
Votes on Account, Amendt. 1308, 1314
Ways and Means, Report, 218

Crown Rights on the Essex Coast
Question, Colonel Ruggles-Brise ; Answer, Mr. Baxter *June* 5, 1541

Cubitt, Mr. G., *Surrey, W.*
Supply—Civil Service Commission, 1409

Currency Laws
Resolution (*Mr. Delahunty*) *June* 6, 1637 [House counted out]
Silver Coinage, Question, Mr. G. B. Gregory ; Answer, The Chancellor of the Exchequer *May* 23, 1176 ; Question, Sir David Wedderburn ; Answer, The Chancellor of the Exchequer *June* 9, 1776
(See title *Mint, The Royal*)

Custom House
Dismissal of Clerks, Question, Mr. Peek ; Answer, The Chancellor of the Exchequer *May* 4, 151
Writers, &c. — Leave of Absence, Question, Colonel Beresford ; Answer, The Chancellor of the Exchequer *May* 25, 1259

Customs and Income Tax Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter*)
c. Ordered ; read 1° * *May* 11 [Bill 136]
Read 2° * *May* 12
Question, Mr. Disraeli ; Answer, Mr. Gladstone *May* 15, 809
Committee ; Report *May* 18, 964
Read 3° * *May* 19
l. Read 1ª * *May* 19
Read 2ª * ; Committee negatived ; Read 3ª *May* 22
Royal Assent *May* 25 [34 *Vict.* c. 21]

Dalrymple, Mr. D., *Bath*
Metropolis Water, 2R. 1320
Supply—Foreign Office, 1386
Water Supply (London), Res. 1244

Danubian Principalities — Political Condition
Question, Mr. William Cartwright ; Answer, Viscount Enfield *June* 5, 1534

Davenport, Mr. W. Bromley-, *Warwickshire, N.*
Army Regulation, Comm. *cl.* 2, 1130, 1925

Dean Forest and Hundred of St. Briavels Bill
(*Mr. Baxter, Mr. William Henry Gladstone*)
c. Ordered ; read 1° * *June* 12 [Bill 190]

Dease, Mr. E., *Queen's Co.*
Protection of Life and Property (Ireland), 2R. 734

Debtors (Ireland) Bill (*The Solicitor General for Ireland, The Marquess of Hartington*)
c. Read 2° * *May* 4 [Bill 108]
Committee *; Report *June* 1 [Bill 171]

De Grey and Ripon, Earl (Lord President of the Council)
Washington, Treaty of, Motion for an Address, 1864

Delahunty, Mr. J., *Waterford City*
Currency Laws, Res. 1637

Denbigh, Earl of
University Tests, Commons' Amendts. 1970

Denison, Right Hon. J. E. (*see* Speaker, The)

Denison, Mr. C. Beckett-, *Yorkshire, W.R., E. Div.*
Army Regulation, Comm. *cl.* 3, 1597
India—East India Administration, Res. 2037
India—Nawab of Tonk, Motion for a Committee, 777
Metropolis—Hyde Park, Res. 1375
Parliament—Public Business, 1373

Denman, Lord
University Tests, Comm. *add. cl.* 381

Denman, Hon. G., *Tiverton*
Government Law Reform Bills, 1533
Protection of Life and Property (Ireland), Comm. *cl.* 11, 1365

Derby, Earl of
Criminal Law Amendment, Comm. *cl.* 1, 780
United States—Joint High Commission, 701
Washington, Treaty of, Motion for an Address, 1854

De Ros, Lord
Army Reserve and Enlistment, 1527

Dickinson, Mr. S. S., *Stroud*
Army Regulation, Comm. *cl.* 3, 1274, 1947
Washington, Treaty of, 1539

Dickson, Major A. G., *Dover*
Army—84th Regiment, 1674
Army Regulation, Comm. *cl.* 3, 1295; *cl.* 6, 2011

Digby, Mr. K. T., *Queen's Co.*
Protection of Life and Property (Ireland), 2R. 1051

Dilke, Sir C. W., *Chelsea, &c.*
France — Communist Insurrection in Paris, 1777
New Forest, 807
Registration of Parliamentary Voters, 2R. 590

Dillwyn, Mr. L. L., *Swansea*
Supply—Lord Privy Seal, 1391, 1396
Offices of the House of Commons, 1384
Secret Service, 1427

Dimsdale, Mr. R., *Hertford*
Supply—Friendly Societies, 1420

Disraeli, Right Hon. B., *Buckinghamshire*
Army Regulation, Comm. *cl.* 2, 1016; *cl.* 3, 1587, 1589, 1592; Motion for Adjournment, 1907, 1928; *cl.* 6, 2005
Customs and Income Tax, Comm. 964, 983
Established Churches—Archbishop of Dublin, 628
Established Churches, Res. 548
Income Tax, &c. Re-comm, 635, 809, 810
Parliament—Business of the House, 1263, 1543
Counts-out, Recent, 1685
Protection of Life and Property (Ireland), 2R. 914
University Tests, Lords' Amendts. 1189
Ways and Means, Report, 233

Divorce Bills
Select Committee nominated; List of the Committee *May* 4, 246

Dixon, Mr. G., *Birmingham*
Education—New Code, 403
Elementary Education—Inspectors of Schools, 1110
Post Office Employés, 1538

Dodson, Mr. J. G. (Chairman of the Committee of Ways and Means and Deputy Speaker), *Sussex, E.*
Army Regulation, Comm. *cl.* 2, 1125, 1133, 1139; *cl.* 3, 1292, 1294, 1295, 1559, 1566, 1570, 1579, 1580, 1742, 1947; *cl.* 5, 1996
Customs and Income Tax, Comm. 1004
Registration of Parliamentary Voters, 2R. 586

Dogs Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Committee * r.p. *May* 4 [Bill 114]
Committee *; Report *May* 15
Considered * *May* 18 [Bill 149]
Read 3° * *May* 22
l. Read 1ª * (*The Earl of Morley*) *May* 23
Bill read 2ª, after short debate *June* 9, 1773 (No. 134)

Dogs (No. 2) Bill (*Mr. Serjeant Simon, Sir Colman O'Loghlen, Mr. Craufurd*)
c. Ordered; read 1° * *May* 11 [Bill 137]

Downing, Mr. M'Carthy, *Cork Co.*
Ireland—Labourers and their Habitations, 1037
Protection of Life and Property (Ireland), 2R. 728, 740; Comm. Amendt. 1328, 1330, 1331, 1341; *cl.* 2, 1352; *cl.* 11, 1366; Consid. 1785

Dowse, Mr. R. (Solicitor General for Ireland), *Londonderry Bo.*
Protection of Life and Property (Ireland), 2R. 1059; Comm. 1347, 1348; *cl.* 7, 1352; *cl.* 8, 1353, 1354; *cl.* 10, 1360

Drainage and Improvement of Lands (Ireland) Supplemental Bill
(*Mr. William Henry Gladstone, Mr. Baxter*)
c. Ordered; read 1°* *June* 1 [Bill 173]
Read 2°* *June* 7
Committee*; Report *June* 8
Read 3°* *June* 9
l. Read 1ª* (*The Lord Dufferin*) *June* 12 (No. 172)

Duff, Mr. M. E. Grant (Under Secretary of State for India), *Elgin, &c.*
India—Civil Service Furlough, 1677
European Troops, 150
India—East India Administration, Res. 2029
Indian Civil Service Examinations, 954

Dunsany, Lord
Protection of Life and Property (Ireland), 2R. 33, 34; Comm. Amendt. 133

Dyott, Colonel R., *Lichfield*
Army Regulation, Comm. *cl.* 3, 1715

East India Stocks (Dividends) Bill
(*Mr. Grant Duff, Mr. Adam*)
c. Ordered; read 1°* *May* 10 [Bill 134]
Read 2°* *May* 11
Committee*; Report *May* 12
Read 3°* *May* 15
l. Read 1ª* (*The Duke of Argyll*) *May* 16
Read 2ª* *June* 12 (No. 116)
Committee* *June* 13 (No. 178)

Eastwick, Mr. E. B., *Penryn, &c.*
Poor Law (Metropolis), Address for a Commission, 319
Women's Disabilities, 2R. 74

Ecclesiastical Courts Bill [H.L.]
(*The Earl of Shaftesbury*)
l. Presented; read 1ª* *May* 2 (No. 84)
Bill read 2ª, after debate *June* 9, 1746

Ecclesiastical Dilapidations Bill [H.L.]
(*The Lord Archbishop of York*)
l. Report* *May* 4 (No. 81)
Read 3ª* *May* 8 (No. 91)
c. Read 1°* *May* 15 [Bill 144]
Read 2°* *May* 18
Referred to a Select Committee* *May* 25

Ecclesiastical Procedure and Registry Bill [H.L.] (*The Earl of Shaftesbury*)
l. Presented; read 1ª* *May* 2 (No. 85)
Read 2ª* *June* 9

Ecclesiastical Titles Act Repeal (*re-committed*) **Bill** (*Mr. Attorney General, Mr. Gladstone, Mr. Solicitor General*)
c. *The Select Committee*, Question, Mr. Charley; Answer, Mr. Gladstone *May* 22, 1117
Report* *May* 26 [Bills 27, 164]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 12, 1950
Amendt. to leave out from "That" and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Newdegate*); Question proposed, "That the words, &c.;" after debate, Question put; A. 176, N. 91; M. 85; main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee; Report, 1960
Considered* *June* 13

Education
Children in Industrial Schools, Question, Mr. Bowring; Answer, Mr. Bruce *June* 12, 1902
Elementary Education Act—Inspectors of Schools, Question, Mr. Dixon; Answer, Mr. W. E. Forster *May* 22, 1110
Endowed Schools Commissioners—Educational Endowments, Question, Mr. Welby; Answer, Mr. W. E. Forster *May* 11, 621; Questions, Mr. Heygate; Answers, Mr. W. E. Forster *May* 25, 1256
[See title *Harrow School*]

The New Code (1871)
Article 32 (*c*)—*Infant Schools*, Question, Mr. J. G. Talbot; Answer, Mr. W. E. Forster *May* 15, 809
Building Grants, Question, Mr. C. S. Read; Answer, Mr. W. E. Forster *May* 23, 1178
Religious Teaching, Question, Mr. Dixon; Answer, Mr. W. E. Forster *May* 8, 403

Education (Scotland) Bill
Question, Dr. Lyon Playfair; Answer, Mr. Gladstone *June* 5, 1535; Questions, Mr. M'Laren, Colonel Sykes; Answers, Mr. Gladstone *June* 13, 1982

Edwardes, Hon. Colonel W., *Haverfordwest*
Army Regulation, Comm. *cl.* 2, 1010

Egerton, Hon. A. F., *Lancashire, S.E.*
France—British Embassy at Paris, 1266

Egerton, Hon. Captain F., *Derbyshire, E.*
Navy—Naval Cadets, Res. 2023

ELCHO, Lord, *Haddingtonshire*
Army—Commissions, 1258
Army Regulation, Comm. 636; *cl.* 2, 1011, 1020, 1130; *cl.* 3, 1286, 1289, 1301, 1304, 1561, 1566, 1593, 1914, 1921, 1922, 1937; Motion for Adjournment, 1938, 1939, 1949; *cl.* 5, 2002; *cl.* 6, 2007
French Refugees, 1327
Mines Regulation, 916

Election Inquiries Expenses
Question, Mr. Broadley; Answer, Mr. Gladstone *June* 5, 1534

ELPHINSTONE, Sir J. D. H., *Portsmouth*
Army—Cadets, 808
Army Regulation, Comm. *cl.* 2, 1127; *cl.* 3, 1578, 1587; *cl.* 5, 1997
Navy—"Captain," Loss of the—Case of Mrs. Burgoyne, 469, 630
Navy, Manning the, Motion for a Commission, 1621

ELY, Bishop of
Cathedral Establishments, Motion for Papers, 462

ENFIELD, Viscount (Under Secretary of State for Foreign Affairs), *Middlesex*
Brazil—Claims of British Subjects, 866
China—Communication from, 1542
  Missionaries, 805
Cuba, State of, 1603
Danubian Principalities, 1534
East African Slave Trade, 1537
France—Questions, &c.
  British Embassy at Paris, 1266
  Commercial Treaty with, 1602
  Paris Communal Authorities, 1255
  Paris Insurrection, 1775, 1777
  Paris, State of, 1435
France and Germany, 270
Germany—Diplomatic Establishments in, 1326
Heligoland—Cession of, 1601
Military Attaché at St. Petersburg, 1677
Paraguay—Stewart, Dr. William, 1372
Supply—Foreign Office, 1389
  Secret Service, 1425, 1428
United States—English Claims, &c. 270
  Treaty with the, 471

ERSKINE, Vice-Admiral J. E., *Stirlingshire*
Navy, Manning the, Motion for a Commission, 1617

Established Churches
Petition presented (*Mr. Gathorne Hardy*) *May* 9, 474
Moved, "That it is expedient, at the earliest practicable period, to apply the policy initiated by the disestablishment of the Irish Church, by the Act of 1869, to the other Churches established by Law in the United Kingdom" (*Mr. Miall*) *May* 9, 474; after long debate, Question put; A. 89, N. 374; M. 285
  Division List, Ayes and Noes, 572

Estate, Real—Legislation respecting
Question, Sir Henry Hoare; Answer, Mr. Gladstone *June* 12, 1905

Ewelme Rectory Bill
(*The Lord Chancellor*)
l. Read 2ª * *May* 15 (No· 82)
Committee * *May* 19
Report * *May* 22
Read 3ª * *May* 23

EXCHEQUER, CHANCELLOR of the, *see* CHANCELLOR of the EXCHEQUER

EYKYN, Mr. R., *Windsor*
Foul Linen, Conveyance of, in Cabs, 1326
Police—Silverton, Inspector, Case of, 1903
Supply—Board of Trade, 1390

Factory Acts Extension Act (1864) Amendment Bill (*Mr. Mundella, Viscount Sandon, Mr. Thomas Hughes, Mr. Akroyd, Mr. Henry Herbert, Mr. Samuelson*)
c. Ordered; read 1º * *June* 13 [Bill 194]

FAWCETT, Mr. H., *Brighton*
Customs and Income Tax, Comm. 986
India—East India Administration, Res. 2023, 2042
Poor Law (Metropolis), Address for a Commission, 287

FIELDEN, Mr. J., *Yorkshire, W.R., E. Div.*
Army Regulation, Comm. *cl.* 5, 2001
Customs and Income Tax, Comm. 1000
Supply—Votes on Account, 1312

Fires Bill
(*Mr. M'Lagan, Mr. Agar-Ellis, Mr. Charles Turner*)
c. Read 2º * *May* 3 [Bill 44]

FITZMAURICE, Lord E. G., *Calne*
University Tests, Lords' Amendts. *cl.* 3, 1200

FLETCHER, Mr. J., *Cockermouth*
Gun Licence—Volunteers, 1676

FLOYER, Mr. J., *Dorsetshire*
Charities, &c. Exemption, 2R. 597

FORESTER, Right Hon. Major General G. C. W., *Wenlock*
Judicial Committee, Appeals to the, 1540

FORSTER, Right Hon. W. E. (Vice President of the Committee of Council on Education), *Bradford*
Cattle from Prussia, 472
Cattle Trade, 1778
Education—Building Grants, 1178
  Educational Endowments, 622
  Endowed Schools, 1256
  New Code, 404, 809

[*cont.*

FORSTER, Right Hon. W. E.—*cont.*
Elementary Education—Inspectors of Schools, 1111
Fisheries, English, Encroachments on, 1537
Supply—Privy Council Office, 1389
Veterinary Department of the Privy Council, Motion for a Committee, 1492

FORTESCUE, Right Hon. Chichester S. (President of the Board of Trade), *Louth Co.*
Brockley Whins, Railway Accident at, 1257
Library of the Board of Trade, 48
Pilotage, Compulsory—Compensation, 624
Protection of Life and Property (Ireland), 2R. 883; Comm. *cl.* 11, 1367
Supply—Board of Trade, 1390

FOWLER, Mr. R. N., *Penryn, &c.*
Army Regulation, Comm. *cl.* 2, 1142; *cl.* 3, 1302, 1595
Cuba, State of, 1602
Customs and Income Tax, Comm. 993
India—Nawab of Tonk, Motion for a Committee, 770, 1074
Metropolis Water, 2R. 1323
Parliament—Business of the House, 697
Ways and Means, Report, 171
West Coast of Africa—British Settlements, 1813

FOWLER, Mr. W., *Cambridge Bo.*
National Debt, Res. 1467
University Tests, Lords' Amendts. *cl.* B, 1204
Ways and Means, Report, 182

France
Encroachments of French Fishermen on English Fisheries, Question, Mr. J. S. Hardy; Answer, Mr. Chichester Fortescue *June* 5, 1537
Law of Extradition, Question, Mr. Bourke; Answer, Mr. Bruce *June* 2, 1435
The Commercial Treaty, Question, Mr. Miall; Answer, Viscount Enfield *June* 6, 1602

The Civil War
British Subjects, Question, Mr. Whalley; Answer, Viscount Enfield *May* 25, 1254; Question, The Earl of Airlie; Answer, Earl Granville *June* 9, 1745; Question, Mr. J. G. Hamilton; Answer, Viscount Enfield *June* 9, 1775
Communist Insurrection at Paris—British Embassy at Paris, Question, Mr. A. F. Egerton; Answer, Viscount Enfield *May* 25, 1266
Destruction of Paris, Questions, Sir Robert Peel, Mr. Baillie Cochrane; Answers, Mr. Gladstone *May* 25, 1264
English Prisoners at Satory, Question, Sir Charles W. Dilke; Answer, Viscount Enfield *June* 9, 1777
France and Germany—Cession of Mayence, Question, Sir Rowland Blennerhassett; Answer, Viscount Enfield *May* 5, 269
France and Germany—The War—Sinking of British Vessels in the Seine, Question, Earl Stanhope; Answer, Earl Granville *May* 23, 1172

[*cont.*

France—cont.
French Refugees, Question, Lord Elcho; Answer, Mr. Bruce *May* 26, 1327
State of Paris, Question, Mr. Locke; Answer, Viscount Enfield *June* 2, 1435

FRENCH, Right Hon. Colonel F., *Roscommon Co.*
Navy—Service Buoys, 473

Game and Trespass Bill
(*Sir Henry Selwin-Ibbetson, Sir Smith Child, Mr. Goldney, Sir Graham Montgomery, Colonel Corbett*)
c. Ordered; read 1° * *May* 18 [Bill 151]
Bill withdrawn * *June* 12

Game Birds (Ireland) Bill
(*Mr. Henry Fitzwilliam, Viscount St. Lawrence, Colonel Forde*)
c. Ordered; read 1° * *June* 8 [Bill 184]

Game Laws Amendment Bill
(*Mr. Hardcastle, Mr. Leatham, Mr. Straight*)
c. Bill withdrawn * *June* 12 [Bill 30]

Game Laws Amendment (No. 2) Bill
(*The Lord Advocate, Mr. Secretary Bruce*)
c. Bill withdrawn * *June* 12 [Bill 71]

Game Laws (Scotland) Amendment (No. 2) Bill (*Mr. M'Lagan, Sir Alexander Maitland, Mr. Orr Ewing*)
c. Bill withdrawn * *June* 12 [Bill 21]

Game Laws—The Bills—Reference to a Select Committee
Observations, Mr. Bruce; Reply, Mr. P. A. Taylor *May* 11, 631; Question, Mr. Hunt; Answer, Mr. Bruce *May* 23, 1179; Question, Lord Eustace Cecil; Answer, Mr. Bruce *June* 12, 1930

GARLIES, Lord, *Wigtonshire*
Army—Promotion by Selection, 1535
Army Regulation, Comm. 453; *cl.* 2, Amendt. 1134, 1169; *cl.* 3, 1570, 1577, 1741, 1926, 1948, 1983, 1984
Customs and Income Tax, Comm. 1002, 1005

Gas and Water Provisional Orders Confirmation Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Ordered; read 1° * *May* 5 [Bill 128]
Read 2° * *May* 8
Committee *; Report *May* 25
Considered * *June* 5
Read 3° * *June* 7
l. Read 1ª * (*The Earl Cowper*) *June* 8 (No. 162)

Gas Works Clauses Act (1847) Amendment (No. 2) Bill (*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Read 2° * *May* 5 [Bill 113]
Committee *; Report *May* 18 [Bill 150]
Re-comm. *; Report *May* 26
Considered * *June* 1
Read 3° * *June* 5
l. Read 1ª * (*The Earl Cowper*) *June* 6 (No. 154)
Read 2ª * *June* 13

German Empire—Diplomatic Establishments at the minor Courts
Question, Mr. Muntz; Answer, Viscount Enfield *May* 26, 1326

Gilpin, Colonel R. T., *Bedfordshire*
Army Regulation, Comm. 661

Gilpin, Mr. C., *Northampton Bo.*
Army Regulation, Comm. *cl.* 2, 1132
Parliament—Counts-out, Recent, 1688, 1690

Gladstone, Right Hon. W. E. (First Lord of the Treasury), *Greenwich*
Army Regulation, Comm. 412, 452, 453; *cl.* 2, 856, 1019, 1124; *cl.* 3, 1295, 1300, 1308, 1576, 1578, 1579, 1583, 1587, 1589, 1596, 1597, 1909, 1946; *cl.* 6, 2005, 2006
Blackwater Bridge, 1266
China—British Minister at Pekin, 271
County Court Judges, 959
Duchy of Lancaster, 323, 328
Ecclesiastical Titles Act Repeal, 1117; Preamble, 1960
Education (Scotland), 1536, 1982
Election Inquiries, 1534
Established Churches, Res. 559
France—Paris, Destruction of, 1264
Income Tax, &c. 272; Comm. 405, 634, 810
India—Pensions, 624
Ireland—Land Act, Lord Justice Christian, 1979
Surplus Revenues of the Irish Church, 470
Parliament—Questions, &c.
Business of the House, 697, 1263
Counts-out, Recent, 1686
Derby Day, 1180
Morning Sittings, 963
Public Business, 399, 1175, 1543, 1905
Whitsuntide Holidays, 1308
Postage Rates—United Stated, Res. Amendt. 61, 64
Protection of Life and Property (Ireland), 2R. 915; Comm. 1335, 1343; Consid. Amendt. 1791
Real Estate, 1905
Statues of Statesmen, 1603
Supply—Votes on Account, 1312
University Tests, Comm. *cl.* 3, 390; Lords' Amendts. 1187; *cl.* A, Amendt. 1191; *cl.* 3, Amendt. 1198; Amendt. 1200; *cl.* B, Amendt. 1201, 1202, 1203; *cl.* C, Amendt. 1206, 1208
Washington, Treaty of, 1539, 1904
Ways and Means, Report, 222, 236
Women's Disabilities, 2R. 88

Glebe Loans (Ireland) Act
Question, Mr. Stacpoole; Answer, The Marquess of Hartington *June* 5, 1533

Gloucester and Bristol, Bishop of
Cathedral Establishments, Motion for Papers, 461
University Tests, Comm. *add. cl.* 351, 393

Goldney, Mr. G., *Chippenham*
Army Regulation, Comm. 437
Charities, &c. Exemption, 2R. 596
Metropolis Water, 2R. 1320
Supply—Copyhold, &c. Commission, 1412
Patent Office, 1414, 1416
Poor Law Commission, Amendt. 1418, 1419, 1420
Votes on Account, 1369

Goldsmid, Sir F. H., *Reading*
Army Regulation, Comm. *cl.* 3, 1284
Burials, Comm. *cl.* 1, 1664
Indian Civil Service Examinations, 945

Goldsmid, Mr. J., *Rochester*
Duchy of Lancaster, 328
Metropolis—Wellington Monument, 626, 627
Supply—Foreign Office, 1389
Lord Privy Seal, 1392
Votes on Account, 1312

Gore, Mr. W. R. Ormsby- *Leitrim Co.*
Army Regulation, Comm. *cl.* 3, Motion for reporting Progress, 1744

Goschen, Right Hon. G. J. (First Lord of the Admiralty), *London*
Navy—Questions, &c.
Admiralty Brokers, 1536
Cadets, 808, 2017
"Captain," Loss of the, 48;—Case of Mrs. Burgoyne, 469, 630
Income Tax on Officers in the, 874
Portland Harbour, 955
Service Buoys, 474
Steam Coal, 1260
"Thunderer" and "Devastation," 629
Navy, Manning the, Motion for a Commission, 1623
Supply—Poor Law Commission, 1419, 1420
Union Assessment Committees, 270
Ways and Means, Report, 204

Gourley, Mr. E. T., *Sunderland*
Army Regulation, Comm. *cl.* 2, 834; *cl.* 3, 1722

Granville, Earl (Secretary of State for Foreign Affairs)
France—Communist Insurrection in Paris, 1745
France and Prussia—Sinking of British Vessels, 1173
Leeward Islands, 2R. 1027
Livingstone, Dr., Safety of, 260
Natural History Collection, South Kensington, 1030
Paris, Treaty of, Motion for an Address, 788, 796, 797, 802
Protection of Life and Property (Ireland), 2R. 34; Comm. 130

[*cont.*

GRANVILLE, Earl—cont.
  United States—Joint High Commission, 621, 700, 701, 1102, 1103, 1108
  University Tests, Comm. *add. cl.* 397; Report, 605
  Washington, Treaty of, Motion for an Address, 1839, 1842

GRAVES, Mr. S. R., *Liverpool*
  Army Regulation, Comm. *cl.* 5, 1998
  Navy, Manning the, Motion for a Commission, 1604, 1636

GRAY, Sir J., *Kilkenny Bo.*
  Ireland—Land Act, Lord Justice Christian, 1978
  Parliament—Public Business, 1175
  Protection of Life and Property (Ireland), 2R. 1072; Comm. 1332, 1348

GREENE, Mr. E., *Bury St. Edmunds*
  Army Regulation, Comm. *cl.* 2, 1132; *cl.* 3, 1574
  Burials, Comm. *cl.* 1, 1667
  Parliament—Adjournment of the House, 2042
  United Kingdom and the Colonies, Motion for a Committee, 770

GREGORY, Mr. G. B., *Sussex, E.*
  Army Regulation, Comm. *cl.* 2, 834; *cl.* 3, 1560, 1935
  Burials, Comm. *cl.* 1, Amendt. 1656, 1661
  Customs and Income Tax, Comm. 1004
  India—East India Administration, Res. 2028
  Protection of Life and Property (Ireland), Comm. *cl.* 7, Amendt. 1352
  Silver Coinage, 1176
  Supply—Patent Office, 1415

GREGORY, Mr. W. H., *Galway Co.*
  Parliament—Public Business, 1542
  Protection of Life and Property (Ireland), Comm. *cl.* 2, 1351; *cl.* 7, 1352; *cl.* 8, 1353, 1354; Consid. 1782

GREVILLE, Lord
  Irish Land Act, 1974, 1975

GREY, Earl
  Army Reserve and Enlistment, 1528
  Bank Holidays, Comm. *cl.* 3, 866
  Criminal Law Amendment, Comm. *cl.* 1, 781; Amendt. 782
  Protection of Life and Property (Ireland), 2R. 26; Comm. 133
  University Tests, Comm. *cl.* 3, 391; Commons' Amendts. 1969

GREY, Right Hon. Sir G., *Morpeth*
  Army Regulation, Comm. *cl.* 2, 816; *cl.* 3, 1555, 1556, 1580, 1696, 1906
  Burials, Comm. *cl.* 1, 1659, 1661, 1664
  Mines Regulation, 916

GROVE, Captain T. F., *Wiltshire, S.*
  Army Regulation, Comm. *cl.* 3, 1302

GUEST, Mr. A. E., *Poole*
  Army Regulation, Comm. *cl.* 2, 848; *cl.* 3, 1293
  Metropolis—Hyde Park, 1381
  Supply—Foreign Office, 1386
    Office of Works, 1424

GUEST, Mr. M. J., *Youghal*
  Gunpowder in Private Stock, &c. 716

Gunpowder in Private Stock, &c.
  Question, Mr. Montague Guest; Answer, Mr. Bruce *May* 12, 716

GURNEY, Right Hon. Russell, *Southampton*
  Burials, Comm. 1654; *cl.* 1, 1666
  Protection of Life and Property (Ireland), 2R. 746
  Public Prosecutors, Comm. 1667

Habitual Criminals Act
  Question, Mr. Stephen Cave; Answer, Mr. Bruce *May* 18, 959

HADFIELD, Mr. G., *Sheffield*
  Postage Rate — United States, Res. 61; Amendt. 64, 65

HALIFAX, Viscount (Lord Privy Seal)
  Bank Holidays, 2R. 129; Comm. *cl.* 1, 864; Schedule, 866
  Small Pox (Metropolis), Motion for Returns, 705

HAMILTON, Right Hon. Lord C., *Tyrone Co.*
  Army Regulation, Comm. *cl.* 6, 2010
  Permissive Prohibitory Liquor, 2R. 926, 929

HAMILTON, Lord G. F., *Middlesex*
  Army Regulation, Comm. *cl.* 3, Motion for Adjournment, 1595
  Kew Bridge, 1541
  Parliament—Adjournment of the House, 2043

HAMILTON, Mr. J. G. C., *Lanarkshire, S.*
  France—Paris Insurrection, 1775

HARCOURT, Mr. W. Vernon, *Oxford City*
  Army Regulation, Comm. *cl.* 3, 1700; *cl.* 4, 1986; *cl.* 5, 1989, 2002, 2003
  Registration of Parliamentary Voters, 2R. 592
  University Tests, Lords' Amendts. *cl.* B, 1202; *cl.* C, 1206, 1208

HARDCASTLE, Mr. J. A., *Bury St. Edmunds*
  Charities, &c. Exemption, 2R. Amendt. 594

HARDINGE, Viscount
  Army—Volunteers for India, Motion for a Return, 1670
  Artillery, Address for Returns, 253

HARDY, Right Hon. Gathorne, *Oxford University*
- Army Regulation, Comm. *cl.* 2, 1126, 1923; *cl.* 6, 2007
- Burials, Comm. 1647
- Charities, &c. Exemption, 2R. 595
- Established Churches, 474
- Parliament—Counts-out, Recent, 1690
- Pedlars' Act, 957
- Protection of Life and Property (Ireland), 2R. 878
- Registration of Parliamentary Voters, 2R. 592
- University Tests, Lords' Amendts. *cl.* A, 1193; *cl.* B, 1204
- Water Supply (London), 1233

HARDY, Mr. J. Stewart, *Rye*
- Army Regulation, Comm. *cl.* 2, 1011
- Fisheries, English, Encroachments on, 1537

HARROWBY, Earl of
- Ecclesiastical Courts, 2R. 1767
- University Tests, Comm. *add. cl.* 364; 3R. 714; Commons' Amendts. 1970

Harrow School—The Statute
- Moved, " That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to disallow the Statute now lying upon the Table of the House, by which membership of the Church of England is, for the first time, imposed as a qualification for appointment to the governing body of Harrow School " (*Mr. Trevelyan*) *June* 13, 2044; Debate arising; Debate adjourned

HARTINGTON, Right Hon. Marquess of (Chief Secretary for Ireland), *New Radnor*
- Army—Limerick Militia, 1373
  - Royal Tyrone Fusiliers, 1112
- Army Regulation, Comm. *cl.* 3, 1597
- Glebe Loans (Ireland), 1533
- Ireland—Questions, &c.
  - Advances to Tenants, 1374
  - Bernard Young, Death of, 1109
  - Census—Falsification of Returns, 269;—School Children, 805;—in Armagh, 1374
  - High Sheriffs in, 804
  - Jury Panels of Monaghan, 1113
  - Labourers and their Habitations, 1037
  - Stamp Distributors, 625
  - Suspension of the Habeas Corpus Act, 1175
- Local Legislation (Ireland), 2R. 124
- Protection of Life and Property (Ireland), 2R. 716; Comm. *cl.* 2, 1351; *cl.* 7, 1353; *cl.* 8, 1354; *cl.* 9, 1355, 1356, 1357; *cl.* 11, Amendt. 1362, 1365; Consid. 1784; Amendt. 1789, 1791, 1793

HATHERLEY, Lord (see CHANCELLOR, The Lord)

HAY, Rear-Admiral Sir J. C. D., *Stamford*
- Army Regulation, Comm. *cl.* 3, 1734
- Heligoland—Cession of, 1601
- National Defences, 1371

[*cont.*

HAY, Rear-Admiral Sir J. C. D.—*cont.*
- Navy—Admiralty Brokers, 1536
  - Steam Coal, 1260
- Navy—Naval Cadets, Res. 2021
- Telegraphic Wires, Insulation of, 622
- West Coast of Africa — British Settlements, 1823

Hayti—Claims of British Subjects
- Question, Mr. Anderson; Answer, Viscount Enfield *May* 15, 806

HEADLAM, Right Hon. T. E., *Newcastle-upon-Tyne*
- Army Regulation, Comm. *cl.* 2, 839; *cl.* 3, 1728

HEADLEY, Lord
- Natural History Collection, South Kensington, 1031

Heligoland—Reported Cession of
- Question, Sir John Hay; Answer, Viscount Enfield *June* 6, 1601

HENLEY, Right Hon. J. W., *Oxfordshire*
- Army Regulation, Comm. *cl.* 2, 1156; *cl.* 3, 1726
- Income Tax, &c. Re-comm. 635
- Protection of Life and Property (Ireland), Comm. 1346; Consid. 1793
- Registration of Parliamentary Voters, 2R. 586
- Supply—Votes on Account, 1313
- Ways and Means, Comm. 599

HENRY, Mr. Mitchell, *Galway*
- Contractors' Act, 472
- Protection of Life and Property (Ireland), Comm. *cl.* 12, 1789
- Supply—Charity Commission, 1408
  - Lord Privy Seal, 1396

HERBERT, Right Hon. Major-General Sir Percy E., *Shropshire, S.*
- Army Regulation, Comm. 429, 443, 445, 446, 448, 669, 693; *cl.* 2, 856, 858, 859, 1015, 1017; *cl.* 3, Amendt. 1544, 1555, 1556, 1559, 1571, 1572, 1799, 1804; Amendt. 1805; Amendt. 1931, 1936, 1937; *cl.* 5, 1996; *cl.* 6, 2008

HERBERT, Mr. H. A., *Kerry Co.*
- Aldershot, Conviction at, 874
- Post Office—Telegraph Department, 1675
- Protection of Life and Property (Ireland), 2R. 898; Comm. *cl.* 2, 1350
- University Tests, Lords' Amendts. 1185

HERMON, Mr. E., *Preston*
- Army Regulation, Comm. *cl.* 5, 1990
- Customs and Income Tax, Comm. 996; *add. cl.* 999
- Income Tax, Motion for a Committee, 1090
- Supply—Office of Woods, 1422
  - Patent Office, 1415
  - Paymaster General, 1417; Amendt. 1418
  - Votes on Account, 1310

Heron, Mr. D. C., *Tipperary Co.*
  Ireland—Railways, Res. 333
  Local Legislation (Ireland), 2R. 124
  Postage Rates—United States, Res. 54

Heygate, Sir F. W., *Londonderry Co.*
  Education—Endowed Schools, 1256
  Income Tax, Motion for a Committee, 1089, 1097
  Protection of Life and Property (Ireland), 2R. 737

Heygate, Mr. W. U., *Leicestershire, S.*
  Burials, Comm. *cl.* 1, 1657, 1666

Hibbert, Mr. J. T., (Secretary to the Poor Law Commissioners), *Oldham*
  Charities, &c. Exemption, 2R. 598
  Poor Law (Metropolis), Address for a Commission, 317

Hill, Mr. A. Staveley, *Coventry*
  Army Regulation, Comm. *cl.* 3, Motion for Adjournment, 1302

Hoare, Sir H. A., *Chelsea, &c.*
  Metropolis Water, 2R. Motion for Adjournment, 1318
  Permissive Prohibitory Liquor, 2R. 952
  Real Estate, 1905
  Ways and Means, Report, 179

Holt, Mr. J. M., *Lancashire, N.E.*
  Burials, Comm. 1654

Hope, Mr. A. J. Beresford, *Cambridge University*
  Burials, Comm. 1639, 1640; *cl.* 1, 1661, 1662, 1664
  Ecclesiastical Titles Act Repeal, Preamble, 1960
  Private Chapels, 2R. Amendt. 126
  Supply—Lord Privy Seal, 1395
  University Tests, Lords' Amendts. *cl.* 3, 1199; *cl.* B, 1202
  Women's Disabilities, 2R. 97

Hosiery Manufacture (Wages) Bill
(*Mr. Pell, Mr. Wheelhouse, Mr. Frederic Smith, Mr. Joshua Fielden*)
c. Ordered; read 1°* *June* 13 [Bill 196]

Hoskyns, Mr. C. Wren-, *Hereford City*
  Corporate Bodies—Land belonging to, 956
  Ordnance Survey for England, 962

Houghton, Lord
  University Tests, Comm. *cl.* 3, 392; Report, 602

House of Commons (Witnesses) Bill
(*Mr. Attorney General, Mr. Secretary Bruce, Mr. Solicitor General*)
c. Ordered; read 1°* *May* 18 [Bill 156]
  Read 2°* *May* 22
  Committee*—R.P. *June* 8

House of Lords Appellate Jurisdiction Bill [H.L] (*The Lord Westbury*)
l. Presented; read 1ª* *June* 5 (No. 147)
  Read 2ª* *June* 19

Hughes, Mr. T., *Frome*
  Betting Houses in Scotland, 873
  Burials, Comm. *cl.* 1, 1663
  Parliament—Derby Day, 1180

Hunt, Right Hon. G. W., *Northamptonshire, N.*
  Army Regulation, Comm. *cl.* 3, 1578, 1709, 1984; *cl.* 5, 1986, 1989
  Blackwater Bridge, 1266
  Burials, Comm. *cl.* 1, 1663
  Game Laws, 1179
  Income Tax, &c. Comm. 404; 3R. 577; Recomm. 632
  Parliament—Public Business, 402
  Registration of Parliamentary Voters, 2R. 593
  Supply—Votes on Account, 1313
  Women's Disabilities, 2R. 82, 113

Huntly, Marquess of
  Ecclesiastical Patronage (Scotland), 456

Illingworth, Mr. A., *Knaresborough*
  Burials, Comm. *cl.* 1, 1662
  Customs and Income Tax, Comm. 995

Income Tax
  Amendt. on Committee of Supply *May* 19, To leave out from "That," and add "a Select Committee be appointed to inquire into the mode of assessing the Income and Property Tax, and the principle on which such tax is now levied on industrial, professional, and precarious incomes, and also on incomes derived from life annuities, mines, and other sources, where a portion of the principal as well as interest is annually consumed or included in the yearly returns liable to taxation; and also into the present mode of including gross incomes without allowing for depreciation in railway, manufacturing, and other concerns; and also into the mode of collecting the said tax, and the remuneration paid to surveyors, clerks, collectors, and others; and also into the constitution and duties of the central and local Boards of Income Tax Commissioners" (*Mr. Chadwick*), 1074; after long debate, Question put; A. 56, N. 47; M. 9
    Division List, Ayes and Noes, 1097

Income Tax Bill *Afterwards*—
Income Tax and Inhabited House Duties Bill (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter*)
c. Resolution in Committee* *May* 1
  Resolution reported, and agreed to; Bill ordered; read 1°* *May* 4 [Bill 126]
  Questions, Colonel Stuart Knox, Mr. J. Lowther; Answers, Mr. Gladstone *May* 5, 272
  Read 2°* *May* 5

[*cont.*

Income Tax & Inhabited House Duties Bill—cont.
c. Committee; Report *May* 8, 404
Order for 3R. read, and, after short debate, discharged; Bill re-committed *May* 9, 577
Bill withdrawn *May* 11, 631

Incorporation of Trustees of the Presbyterian Church of Ireland Bill—*now* **Presbyterian Church (Ireland) Bill**
(*The Lord Cairns*)
l. Report* *May* 4 (Nos. 41, 87, 89)

INDIA
Army
Cost of Drill, Indian Service, Question, Colonel Sykes; Answer, Mr. Cardwell *May* 8, 403
European Troops—Hill Stations, Question, Lord Eustace Cecil; Answer, Mr. Grant Duff *May* 4, 150

Civil Engineers—Examinations, Question, Sir Francis Goldsmid; Answer, Mr. Grant Duff *May* 18, 954
Civil Service Furlough, Question, Mr. A. Bass; Answer, Mr. Grant Duff *June* 8, 1677
Pensions Legislation—Legislative Council of Calcutta, Question, Mr. Haviland-Burke; Answer, Mr. Gladstone *May* 11, 64

India—Indian Administration and Finance
Petitions for a Royal Commission of Inquiry—Presented (*The Marquess of Salisbury*) *May* 11, 606; after short debate, Petitions ordered to lie on the Table
Moved, "That, in order to make an inquiry into the finances and financial administration of India as complete and satisfactory as possible, this House is of opinion that it would be expedient to obtain, either by the granting of a commission or by some other means, evidence in India on the subject both from Native and European inhabitants of that Country" (*Mr. Fawcett*) *June* 13, 2023; after short debate, Motion withdrawn

India—Nawab of Tonk
Amendt. on Committee of Supply *May* 12, To leave out from "That," and add "a Select Committee be appointed to inquire whether the procedure adopted in the case of the Nawab of Tonk was conformable to recognised principles of justice, and calculated to ensure a right decision being arrived at" (*Mr. Robert Fowler*), 770; Question proposed, "That the words, &c.;" after short debate, Debate adjourned
Question again proposed; Debate resumed *May* 19, 1073; after short debate, Amendt. withdrawn

India (Local Legislatures) Bill
(*Mr. Grant Duff, Mr. Adam*)
c. Ordered; read 1°* *May*1 8 [Bill 154]
Read 2°* *May* 22
Committee*; Report *May* 25
Read 3°* *May* 26
l. Read 1ª* (*The Duke of Argyll*) *June* 5
Read 2ª* *June* 12 (No. 150)
Committee*; Report *June* 13

Industrial and Provident Societies Amendment Bill (*Mr. Thomas Hughes, Mr. Morrison, Sir Charles Adderley, Mr. Thomas Brassey, Mr. William Henry Smith*)
c. Ordered; read 1°* *June* 12 [Bill 188]

International Exhibition, Pottery in the
Question, Mr. A. Brown; Answer, Mr. Bowring *May* 25, 1262

Intoxicating Liquors (Licensing) Bill
Formerly—
Exciseable Liquors (Licensing) Bill
(*Mr. Dodson, Mr. Secretary Bruce, Mr. Chancellor of the Exchequer, Mr. Winterbotham*)
c. Question, Sir Lawrence Palk; Answer, Mr. Bruce *May* 2, 44; Question, Mr. M. T. Bass; Answer, The Attorney General *May* 4, 149
Bill withdrawn* *May* 8 [Bill 104]

Intoxicating Liquors (New Licences) Bill
(*Sir Robert Anstruther, Sir Harcourt Johnstone, Mr. Morrison, Mr. Thomas Hughes, Mr. Wentworth Beaumont, Mr. Samuelson, Mr. Mundella, Mr. Pease*)
c. Ordered; read 1°* *May* 22 [Bill 157]

IRELAND
Census, The—Falsification of Returns—Connemara, Question, Mr. Maguire; Answer, The Marquess of Hartington *May* 5, 269—*Armagh*—Question, Mr. Vance; Answer, The Marquess of Hartington *June* 1, 1374
Census of School Children, Question, The O'Conor Don; Answer, The Marquess of Hartington *May* 15, 804
Constabulary, Explanation, Mr. Bagwell *May* 17, 915
County Court Judges, Question, Sir Colman O'Loghlen; Answer, Mr. Gladstone *May* 18, 959
Habeas Corpus Act, Suspension of the, Question, Mr. Callan; Answer, The Marquess of Hartington *May* 23, 1174
High Sheriffs, Qualification of, Question, Mr. Monk; Answer, The Marquess of Hartington *May* 15, 804
Irish Church, The—The Archbishop of Dublin, Question, Mr. Conolly; Reply, Mr. Disraeli *May* 11, 628
Irish Church, Surplus Revenues of the, Question, Mr. Whalley; Answer, Mr. Gladstone *May* 9, 470
Jury Panels, Monaghan, Question, Mr. Callan; Answer, The Marquess of Hartington *May* 22, 1112
Labourers and their Habitations, Question, Mr. M'Carthy Downing; Answer, The Marquess of Hartington *May* 19, 1037
Land Act, The, Observations, Lord Greville; Reply, The Lord Chancellor *June* 13, 1974
Land Improvement Act—Advances to Irish Tenants, Question, Mr. Stapleton; Answer, The Marquess of Hartington *June* 1, 1374
Lord Justice Christian and the Irish Land Act, Questions, Sir John Gray, Mr. Maguire; Answers, Mr. Gladstone *June* 13, 1978
[*cont.*

Ireland—*cont.*
Stamp Distributor, Appointment of, Enniskillen, Question, Viscount Crichton; Answer, The Marquess of Hartington *May* 11, 625
Valuation, General, Question, Mr. Stacpoole; Answer, Mr. Baxter *May* 23, 1177
Young, Bernard, Death of, Question, Mr. W. Johnston; Answer, The Marquess of Hartington *May* 22, 1109

Ireland—Railways
Amendt. on Committee of Supply *May* 5, To leave out from "That," and add "legislative facilities ought to be afforded to the Treasury in order that an Imperial guarantee may in proper cases be given for the interest on capital to be provided for the purpose of completing the Railways of Ireland already authorised by Acts of Parliament" (*Mr. Heron*), 333; after short debate, Question put, "That the words, &c.;" A. 75, N. 14; M. 61

James, Mr. H., *Taunton*
Women's Disabilities, 2R. 107

Jenkinson, Sir G. S., *Wiltshire, N.*
Army Regulation, Comm. *cl.* 2, Amendt. 1118, 1119, 1125, 1134; *cl.* 3, Amendt, 1279, 1301; Amendt. 1560, 1575, 1576, 1801; Amendt. 1940, 1942
Customs and Income Tax, Comm. 998

Jervis, Colonel H. J. W., *Harwich*
Army Regulation, Comm. Motion for Adjournment, 452; *cl.* 2, 1010, 1119; *cl.* 3, 1279, 1297, 1579, 1712, 1713; Amendt. 1805, 1926, 1983, 1986
Customs and Income Tax, Comm. 1000

Johnston, Mr. A., *Essex, S.*
Registration of Parliamentary Voters, 2R. 587
Supply—Charity Commission, 1401

Johnston, Mr. W., *Belfast*
Ireland—Bernard Young, Death of, 1109
West Indies—Nevis, 1251

Judgments (Ireland) Bill [H.L.]
(*The Lord O'Hagan*)
l. Committee * *May* 16 (Nos. 59, 122)
Report * *May* 19
Read 3^a * *May* 22
c. Read 1° * *June* 1 [Bill 167]
Read 2° * *June* 5

Judicial Committee—Disposal of Appeals
Question, Major General Forester; Answer, Mr. Bruce *June* 5, 1540

Juries Ireland Bill [H.L.]
(*The Lord O'Hagan*)
l. Presented; Bill read 1^a * *May* 15 (No. 113)
Bill read 2^a, after short debate *May* 19, 1031

Kay-Shuttleworth, Mr. U. J., *Hastings*
Supply—Lord Privy Seal, 1395
Water Supply (London), Res. 1209, 1249

Kennaway, Mr. J. H., *Devonshire, E.*
Poor Law (Metropolis), Address for a Commission, 310
Union Assessment Committees, 270

Kimberley, Earl of (Secretary of State for the Colonies)
Army Reserve and Enlistment, 1525
Canada, 2R. 1171
Leeward Islands, 2R. 1022, 1027
Protection of Life and Property (Ireland), 2R. 1, 33; Comm. *cl.* 7, Amendt. 131, 132, 133; 3R. 266
Small Pox (Metropolis), Motion for Returns, 703, 705
University Tests, Comm. *add. cl.* 348; *cl.* 3, 385, 387, 392; *cl.* 4, 393, 394, 395; Report, 605; Commons' Amendts, 1962, 1963, 1970
Washington, Treaty of, Motion for an Address, 1877

Kingscote, Colonel R. N. F., *Gloucestershire, W.*
Army Regulation, Comm. *cl.* 2, 1007

Kingsholm District Boundary Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Ordered; read 1° * *June* 8 [Bill 185]

Kinnaird, Lord
Mint, The Royal, Motion for a Committee, 134, 142, 148

Kinnaird, Hon. A. F., *Perth*
East African Slave Trade, 1537
Mint, The Royal—The Chlorine Process, 778
Supply—Lord Privy Seal, 1393
United Kingdom and the Colonies, Motion for a Committee, 758

Knatchbull-Hugessen, Mr. E. H. (Under Secretary of State for the Colonies), *Sandwich*
Cape of Good Hope—Orange Free State, 1260
Gambia Colony—Transfer of the, 153
Hong Kong—Gambling Houses, 1252
Sierra Leone—Montagu, Mr., 1929
South African Diamond Fields, 1038
United Kingdom and the Colonies, Motion for a Committee, 760
West Coast of Africa—British Settlements, 1814
West Indies—Nevis, 1252

Knight, Mr. F. W., *Worcestershire, W.*
Army Regulation, Comm. *cl.* 3, Motion for Adjournment, 1595

Knightley, Sir R., *Northamptonshire, S.*
Army Regulation, Comm. *cl.* 3, 1593

Lunatics (Scotland) Bill (*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam*)
c. Read 2° * *May* 4 [Bill 117]
Committee * ; Report *May* 8
Considered * *May* 11
Read 3° * *May* 15
l. Read 1ª * (*The Earl of Morley*) *May* 16
Read 2ª * *May* 22 (No. 117)
Committee * *June* 5 (No. 152)

Lush, Dr. J. A., *Salisbury*
Armorial Bearings, 623
Poor Law Dispensaries, 1533

Lusk, Mr. Alderman A., *Finsbury*
Charities, &c. Exemption, 2R. 594
Customs and Income Tax, Comm. 996, 1002
Metropolis Water, 2R. 1323
Supply—Civil Service Commission, 1410
Patent Office, 1414
Paymaster General, 1417
Poor Law Commission, 1419
Secret Services, 1427

Lyttelton, Lord
Small Pox (Metropolis), Motion for Returns, 703
University Tests, 3R. 706 ; Commons' Amendts. 1969

Lyveden, Lord
Leeward Islands, 2R. 1026
University Tests, Comm. *cl.* 3, Amendt. 385 ; Commons' Amendts. 1966

McArthur, Mr. W., *Lambeth*
Paraguay—Stewart, Dr. William, 1372
West Coast of Africa—British Settlements, 1806

Macfie, Mr. R. A., *Leith, &c.*
Army Regulation, Comm. *cl.* 2, 838, 1926
Bank Holidays, 1532
China—Missionaries, 805
Parliament — Accommodation for Members, 1255
Supply—Offices of the House of Commons, 1382
Patent Office, 1416
Stationery Office, 1421
United Kingdom and the Colonies, Motion for a Committee, 750, 757, 770

McLaren, Mr. D., *Edinburgh*
Army Regulation, Comm. *cl.* 3, 1286
Bank Holidays, 1118
Customs and Income Tax, Comm. 1004
Ecclesiastical Titles Act Repeal, Comm. 1959
Education (Scotland), 1982
Poor Law (Metropolis), Address for a Commission, 313
Scotland—Administration of Justice, 1100
Rates for Church Repairs, 1533
Supply—Patent Office, 1416
Queen's and Lord Treasurer's Remembrancer, 1430, 1431, 1433
Secret Service, 1426
Votes on Account, 1369

McMahon, Mr. P., *New Ross*
Protection of Life and Property (Ireland), 2R. 735 ; Comm. *cl.* 2, Amendt. 1349, 1352 ; *cl.* 7, *ib.* ; *cl.* 8, Amendt. 1353, 1354 ; *cl.* 10, 1360 ; Consid. Amendt. 1779, 1789, 1794

Magniac, Mr. C., *St. Ives*
China—British Minister at Pekin, 271
Customs and Income Tax, Comm. 993
Ways and Means, Report, 189

Maguire, Mr. J. F., *Cork City*
Ireland—Census—Falsification of Returns, 269
Land Act—Lord Justice Christian, 1978
Post Office Money Orders, 473
Protection of Life and Property (Ireland), 2R. 888 ; Comm. *cl.* 11, 1363, 1365

Malcolm, Mr. J. W., *Boston*
Scotland—Administration of Justice, 1100

Malmesbury, Earl of
Artillery, Address for Returns, 254
Small Pox (Metropolis), Motion for Returns, 704, 705

Manchester, Bishop of
University Tests, Comm. *add. cl.* 381

Manners, Right Hon. Lord J. J. R., *Leicestershire, N.*
Army Regulation, Comm. *cl.* 2, 1125 ; *cl.* 3, 1305, 1580, 1586, 1943 ; *cl.* 5, 2000 ; *cl.* 6, 2004
Burials, Comm. *cl.* 1, 1657
University Tests, Lords' Amendts. 1186
Women's Disabilities, 2R. 95

Marriage Law (Ireland) Amendment Bill (*Mr. Solicitor General for Ireland, The Marquess of Hartington*)
c. Committee * ; Report *May* 18 [Bill 93]
Considered * *May* 19
Read 3° * *May* 22
l. Read 1ª * (*The Lord Dufferin*) *May* 23
Read 2ª * *June* 13 (No. 135)

Martin, Mr. J., *Meath*
Protection of Life and Property (Ireland), 2R. 908, 1039 ; Comm. 1342

Martin, Mr. P. Wykeham, *Rochester*
Ways and Means, Report, 199

Mellor, Mr. T. W., *Ashton-under-Lyne*
Supply—Civil Service Commission, 1411
Offices of the House of Commons, Amendt. 1383
Poor Law Commission, 1418

Melly, Mr. G., *Stoke-upon-Trent*
Army Regulation, Comm. *cl.* 2, 1012

Metalliferous Mines Regulation Bill
(*Mr. Secretary Bruce, Mr. Winterbotham*)
c. Ordered; read 1° * *May* 23 [Bill 162]
Read 2° * *May* 25

METROPOLIS
Brompton Cemetery, Question, Mr. Whalley; Answer, Mr. Ayrton *May* 26, 1328
Cab Regulations, Observations, Mr. Cavendish Bentinck; Reply, Mr. Bruce *May* 5, 330
Conveyance of Foul Linen in Cabs, Question, Mr. Eykyn; Answer, Mr. Bruce *May* 26, 1326
Houses of Parliament Approaches, Question, Mr. W. H. Smith; Answer, Mr. Ayrton *June* 5, 1539
Kew Bridge, Question, Lord George Hamilton; Answer, Sir James Lawrence *June* 5, 1541
Metropolitan Police—Case of Inspector Silverton, Question, Mr. Eykyn; Answer, Mr. Bruce *June* 12, 1903
Science and Art Museum (*East London*), Question, Mr. C. Reed; Answer, Mr. Ayrton *June* 5, 1538
South Kensington, Natural History Museum, Question, Mr. Cavendish Bentinck; Answer, Mr. Ayrton *May* 8, 402; Question, Lord Cairns; Answer, The Duke of St. Albans; short debate thereon *May* 19, 1028
Statesmen, Statues of, Question, Sir John Pakington; Answer, Mr. Gladstone *June* 6, 1603
Wellington Monument, Question, Mr. Goldsmid; Answers, Mr. Ayrton, The Chancellor of the Exchequer *May* 11, 626; Question, Earl Cadogan; Answer, The Marquess of Lansdowne *May* 19, 1034
[See titles *Poor Law* (*Metropolis*)
Water Supply (*London*)

Metropolis — Hyde Park — Hamilton Gardens
Amendt. on Committee of Supply *June* 1, To leave out from "That," and add "as the opening out of a new thoroughfare through Hamilton Place northwards into Park Lane affords a convenient opportunity for reviewing the circumstances under which an integral portion of Hyde Park, known as Hamilton Gardens, became diverted from public to private uses, under the reign of a former Sovereign, an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct the Commissioners of Woods and Forests to restore Hamilton Gardens to the Park, and to the unrestricted enjoyment of all classes of Her Subjects" (*Mr. Denison*), 1375; after short debate, Question put, "That the words, &c.;" A. 99, N. 52; M. 47

Metropolis—Small Pox—Vaccination
Moved, "That there be laid before this House Returns of the number of births and of the number of children vaccinated in the Metropolitan districts during the year ending the 31st December, 1869" (*The Lord Buckhurst*), *May* 12, 701; after short debate, Motion amended, and agreed to; Returns ordered (No. 111.)

Metropolis Water Bill
(*Mr. Shaw Lefevre, Mr. Secretary Bruce*)
c. Question, Mr. Craufurd; Answer, Mr. Bruce *May* 25, 1267
Moved, "That the Bill be now read 2°" (*Mr. Bruce*) *May* 25, 1314
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Craufurd*); Question proposed, "That 'now,' &c.;" Moved, "That the Debate be now adjourned" (*Sir Henry Hoare*); after short debate, Question put; A. 57, N. 87; M. 30
Original Question again proposed; Moved, "That this House do now adjourn" (*Mr. Collins*); after further short debate, Motion withdrawn; Debate adjourned
Question again proposed; Debate resumed *May* 26, 1370; after short debate, Amendt. and Motion withdrawn; Bill withdrawn [Bill 40]

Metropolis Water (No. 2) Bill
(*Mr. Secretary Bruce, Mr. Winterbotham*)
c. Ordered; read 1° * *May* 26 [Bill 166]
Read 2° * *June* 1

Metropolitan Board of Works (Loans) Bill
(*Mr. Baxter, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1° * *May* 15 [Bill 140]
Read 2° * *June* 5

Metropolitan Buildings and Management Bill (*Sir William Tite, Dr. Brewer, Mr. Cavendish Bentinck, Mr. Bowring*)
c. Ordered; read 1° * *May* 10 [Bill 135]

Metropolitan Commons Supplemental Bill
(*Mr. Shaw Lefevre, Mr. Secretary Bruce*)
c. Considered * *May* 4 [Bill 62]
Read 3° * *May* 5
l. Read 1ª * (*The Earl of Morley*) *May* 8
Read 2ª * *June* 12 (No. 103)
Committee *; Report *June* 13

Metropolitan Commons Supplemental (No. 2) Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Ordered; read 1° * *May* 23 [Bill 163]
Read 2° * *May* 25
Committee *; Report *June* 8
Read 3° * *June* 12
l. Read 1ª * (*The Earl of Morley*) *June* 13 (No. 174)

Metropolitan Poor Act (1867) Amendment Bill (*Mr. Stansfeld, Mr. Hibbert*)
c. Read 3° * *May* 4 [Bill 119]
l. Read 1ª * (*The Earl of Kimberley*) *May* 5
Read 2ª * *May* 11 (No. 97)
Committee *; Report *May* 12
Read 3ª * *May* 15
Royal Assent *May* 25 [34 *Vict.* c. 15]

Miall, Mr. E., *Bradford*
Established Churches, Res. 474, 571
France, Commercial Treaty with, 1602

Middleton, Lord
Protection of Life and Property (Ireland), 2R. 40

Miller, Mr. J., *Edinburgh (City)*
Supply—Office of Woods, 1422; Amendt. 1423

Mines Regulation Bill
(*Mr. Secretary Bruce, Mr. Shaw Lefevre*)
c. Committee*; Report *May* 15 [Bills 16-139]
Question, Lord Elcho; Answer, Mr. Bruce *May* 17, 916

Mint, The Royal
Moved, That a Select Committee be appointed to inquire into the past and present management of the Royal Mint, and to consider the last Report of the Deputy Master of the Mint, as well as that on European Mints; and how far it is expedient, considering the state of the public revenue, to incur the expense of £80,000 for new buildings for the Mint, although, as stated in the Report, these may be so constructed as to guard against loss of metal and diminish opportunities of peculation (*The Lord Kinnaird*) *May* 4, 134; after short debate, on Question? resolved in the negative
Chlorine Process, The, Explanation, The Marquess of Lansdowne; Reply, Lord Kinnaird *May* 15, 778
Silver Coinage, Question, Mr. G. B. Gregory; Answer, The Chancellor of the Exchequer *May* 23, 1176; Question, Sir David Wedderburn; Answer, The Chancellor of the Exchequer *June* 9, 1776

Monk, Mr. C. J., *Gloucester*
Ireland, High Sheriffs in, 804
Private Chapels, 2R. 127
Supply—Treasury, 1384
University Tests, Lords' Amendts. *cl.* B, 1206

Monsell, Right Hon. W. (Postmaster General), *Limerick Co.*
Bonelli's Telegraph Company, 1978
Post Office—Questions, &c.
 Employés, 1538
 Money Orders, 473
 Telegraph Clerks, Compensation to, 1110
 Telegraph Offices, 154, 155, 1675
Postage Rate—United States, Res. 54
Scotland—Aberdeen—New Post Office, 1902
 Postal Communications, 1251
Telegraphic Wires, Insulation of, 622

Montagu, Right Hon. Lord R., *Huntingdonshire*
United States, Treaty with the, 471

Morgan, Mr. G. Osborne, *Denbighshire*
Army Regulation, Comm. *cl.* 3, 1303
Burials, Comm. 1645; *cl.* 1, 1656, 1657, 1659, 1663, 1665
University Tests, Lords' Amendts. *cl.* A, 1192; *cl.* B, 1205

Morley, Earl of
Criminal Law Amendment, Comm. *cl.* 1, 780
Dogs, 2R. 1773, 1774

Morrison, Mr. W., *Plymouth*
India—Nawab of Tonk, Motion for a Committee, 772

Mowbray, Right Hon. J. R., *Oxford University*
Burials, Comm. *cl.* 1, 1664
University Tests, Lords' Amendts. *cl.* 3, 1199

Mundella, Mr. A. J., *Sheffield*
Army Regulation, Comm. *cl.* 3, 1562
Permissive Prohibitory Liquor, 2R. 941, 946
Postage Rate—United States, Res. 52

Municipal Corporation Acts Amendment Bill (*Mr. Dixon, Mr. Mundella, Mr. Stevenson, Mr. Muntz, Mr. Carter*)
c. Ordered; read 1°* *June* 13 [Bill 193]

Muntz, Mr. P. H., *Birmingham*
Army—Martini-Henry Rifle, Amended, 150
Army Regulation, Comm. *cl.* 2, Amendt. 811, 854, 860
Charities, &c. Exemption, 2R. 593, 599
Customs and Income Tax, Comm. 1002
Germany—Diplomatic Establishments in, 1326
Supply—Lord Privy Seal, 1395
 Office of Woods, 1423
 Poor Law Commission, 1420
 Queen's and Lord Treasurer's Remembrancer, Amendt. 1431, 1433
 Secret Services, 1427
 Votes on Account, 1311
Ways and Means, Report, 216

Murder Law Amendment and Appeal Bill
(*Sir George Jenkinson, Mr. Gilpin, Mr. Goldney*)
c. Ordered; read 1°* *May* 15 [Bill 141]

National Debt
Amendt. on Committee of Supply *June* 2, To leave out from "That," and add "in the opinion of this House, it is inexpedient to make provision for the reduction of the National Debt by an annual charge upon the Imperial Revenue until a considerable diminution has been made in the Customs and Excise Duties now levied upon articles of domestic consumption" (*Mr. James White*), 1436; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

Navy
Admiralty Brokers, Question, Sir John Hay; Answer, Mr. Goschen *June* 5, 1536
Buoys, Service, Question, Colonel French; Answer, Mr. Goschen *May* 9, 474
Cadets, Age of, Question, Sir James Elphinstone; Answer, Mr. Goschen *May* 15, 808
Cheyne, Case of Commander, Question, Mr. Sclater-Booth; Answer, Mr. Shaw Lefevre *May* 23, 1177

[*cont.*

Navy—*cont.*

Coal, Supply of, Question, The Earl of Lauderdale; Answer, The Earl of Camperdown *May* 16, 870;—*Steam Coal,* Question, Sir John Hay; Answer, Mr. Goschen *May* 25, 1260

Income Tax—Officers in the Navy, Question, Mr. G. Bentinck; Answer, Mr. Goschen *May* 16, 874

Portland Harbour—Convict Labour, Question, Mr. Owen Stanley; Answer, Mr. Goschen *May* 18, 955

"Thunderer" and "Devastation," Questions, Mr. Corry; Answers, Mr. Goschen *May* 11, 629

Navy — Loss of H.M.S. "Captain"

Claims on the late Captain Burgoyne, Question, Colonel H. Lowther; Answer, Mr. Goschen *May* 2, 47; Question, Lord Buckhurst; Answer, The Earl of Camperdown *May* 5, 261

Compensation to Mrs. Burgoyne, Moved, "That an humble Address be presented to Her Majesty praying that Her Majesty would be graciously pleased to take into Her consideration the case of Mrs. Burgoyne, widow of the late Captain Burgoyne of H.M. Ship "Captain," with a view to her relief from the pecuniary liabilities which she has incurred in consequence of the loss of that ship," (*The Lord Buckhurst*) *May* 9, 462; after short debate, Motion withdrawn

Questions, Mr. Baillie Cochrane, Sir James Elphinstone; Answers, Mr. Speaker, Mr. Goschen *May* 9, 468

Widows of Officers, Question, Sir James Elphinstone; Answer, Mr. Goschen *May* 11, 630

Navy—Manning the Navy

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the present means of manning the Navy, the keeping up of the requisite supply of men for the Naval Reserves, and to consider whether the services of the seamen of the Mercantile Marine, and the seafaring population generally might not be made more readily available for the Naval Service of the Country in times of sudden emergency or war" (*Mr. Graves*) *June* 6, 1604; after debate, Motion withdrawn

Navy—Naval Cadets

Moved, "That it expedient to adopt the recommendations of the Committee appointed by the Admiralty as to the training of Naval Cadets" (*Mr. Brassey*) *June* 13, 2011; after short debate, Motion withdrawn

Nelson, Earl

Bank Holidays, Comm. *cl.* 3, 866

University Tests, 3R. 710

Newdegate, Mr. C. N., *Warwickshire, N.*

Army Regulation, Comm. *cl.* 2, 818, 1122; *cl.* 3, 1585, 1597, 1909

Burials, Comm. 1650

[*cont.*

Newdegate, Mr. C. N.—*cont.*

Customs and Income Tax, Comm. 990

Ecclesiastical Titles Act Repeal, Comm. Amendt. 1950; Preamble, 1960

Mackey, Mr. G., Case of, 960

Parliament—Counts-out, Recent, 1684, 1685

Supply—Charity Commission, 1403

University Tests, Lords' Amendts. 1184; *cl.* A, 1194

Women's Disabilities, 2R. 116

New Forest Bill

(*Mr. Baxter, Mr. Chancellor of the Exchequer*)

c. Bill withdrawn* *May* 10 [Bill 81]

New Forest—Denny Wood Inclosure

Question, Sir Charles W. Dilke; Answer, Mr. Baxter *May* 15, 807

New Mint Building Site Bill

(*Mr. Ayrton, Mr. Baxter*)

c. Ordered; read 1°* *June* 5 [Bill 176]

New Peer

May 12—Lieutenant General the Right Honourable Sir William Rose Mansfield, G.C.B., G.C.S.I., created Baron Sandhurst of Sandhurst, in the county of Berks

Sat First

May 8—The Lord Elgin, after the death of his Father

May 22—The Lord Clanbrassill, after the death of his Grandfather

New Writs Issued

June 5—*For* Stafford County (Western Division), *v.* Hugo Francis Meynell Ingram, esquire, deceased

June 7—*For* Westmeath, *v.* William Pollard-Urquhart, esquire, deceased

Noel, Hon. G. J., *Rutlandshire*

Post Office—Telegraph Offices, 154

North, Colonel J. S., *Oxfordshire*

Army—Cavalry Regiments, Establishment of, 271

Army Regulation, Comm. 434; *cl.* 2, 829, 1009, 1127; *cl.* 3, 1286, 1569, 1801; *cl.* 4, 1986

Northbrook, Lord (Under Secretary of State for War)

Army Reserve and Enlistment, 1509, 1523

Army—Volunteers for India, Motion for a Return, 1671, 1673

Artillery, Address for Returns, 255, 337

Post Office, Employment in the, 1668

Northcote, Right Hon. Sir S. H., *Devonshire, N.*

India—East India Administration, Res. 2041

Norwich Voters Disfranchisement Bill
(*Mr. Attorney General, Mr. Secretary Bruce*)
c. Ordered ; read 1° * *May* 18 [Bill 155]
Read 2° * *May* 22
Committee * ; Report *June* 1
Considered * *June* 5
Read 3° * *June* 7

Norwood, Mr. C. M., *Kingston-upon-Hull*
Cattle Trade, 1778
Income Tax, Motion for a Committee, 1090

O'Brien, Sir P., *King's Co.*
Protection of Life and Property (Ireland), 2R. 1047 ; *cl.* 11, 1365

O'Conor Don, The, *Roscommon Co.*
Ireland—Census of School Children, 804
Protection of Life and Property (Ireland), 2R. Amendt. 728 ; Motion for Adjournment, 750, 875 ; Comm. *cl.* 10, 1358, 1361 ; *cl.* 11, 1362

O'Hagan, Lord
Juries Ireland, 2R. 1031

O'Loghlen, Right Hon. Sir C. M., *Clare Co.*
Ireland—County Court Judges, 959
Protection of Life and Property (Ireland), Comm. *cl.* 7, 1352 ; *cl.* 8, 1354 ; *cl.* 9, Amendt. *ib.*, 1355 ; *cl.* 10, Amendt. 1356, 1361

Oranmore and Browne, Lord
Protection of Life and Property (Ireland), 2R. 38 ; Comm. 131, 134 ; 3R. Amendt. 263
Small Pox (Metropolis), Motion for Returns, 702
University Tests, Commons' Amendts. 1968

Ordnance Survey of England—The 6-inch Map
Question, Mr. Wren Hoskyns ; Answer, Mr. Ayrton *May* 18, 962

O'Reilly, Mr. M. W., *Longford Co.*
Army—Compulsory Military Service, Res. 65
Army Regulation, Comm. 437 ; *cl.* 3, 1725
Parliament—Counts-out, Recent, 1684
War Office Income Tax Commissioners, 153

Osborne, Mr. R. B., *Waterford City*
Army Regulation, 1918
Customs and Income Tax, Comm. 991
Ways and Means, Report, 172, 174, 204, 205, 223

Otway, Mr. A. J., *Chatham*
Army Regulation, Comm. *cl.* 2, 1159

Overstone, Lord
Bank Holidays, Comm. 862 ; *cl.* 1, 864

Oxford, Bishop of
University Tests, Comm. *add. cl.* 369 ; *cl.* 3, 391

Oyster and Mussel Fisheries Supplemental (No. 2) Bill
(*Mr. Chichester Fortescue, Mr. Arthur Peel*)
c. Ordered * *June* 1
Read 1° * *June* 5 [Bill 175]
Read 2° * *June* 8
Committee * ; Report *June* 12
Read 3° * *June* 13

Pakington, Right Hon. Sir J. S., *Droitwich*
Army Regulation, Comm. 452, 683, 687 ; *cl.* 2, 849, 853, 1129 ; *cl.* 3, 1298, 1300, 1567, 1597, 1927, 1934 ; *cl.* 5, 1991, 1995, 2002 ; *cl.* 6, 2003
Customs and Income Tax, Comm. 1002
Parliament—Counts-out, Recent, 1678, 1680
Public Business, 1544
Statues of Statesmen, 1603

Palk, Sir L., *Devonshire, S.*
Army Regulation, Comm. *cl.* 2, 1131 ; *cl.* 3, 1272, 1276, 1278, 1548, 1596
Burials, Comm. 1653
Licensing, 44

Palmer, Sir R., *Richmond*
Army Regulation, Comm. *cl.* 6, 2009
Established Churches, Res. 507
Postage Rate—United States, Res. 64
University Tests, Lords' Amendts. *cl.* A, 1197
Washington, Treaty of, 1903

Palmer, Mr. J. Hinde, *Lincoln City*
Burials, Comm. *cl.* 1, 1661

Paraguay—Dr. William Stewart
Question, Mr. M'Arthur ; Answer, Viscount Enfield *June* 1, 1372

Parker, Mr. C. S., *Perthshire*
Army Regulation, Comm. *cl.* 3, 1279, 1289

Parliament
LORDS—
Whitsuntide Recess, House adjourned from Thursday May 25 to Monday the 5th of June

COMMONS—
Accommodation for Members, Questions, Mr. Macfie ; Answers, Mr. Ayrton *May* 25, 1255
Adjournment of the House, Moved, " That this House do now adjourn" (*Mr. Greene*) *June* 13, 2042 ; A. 56, N. 101 ; M. 45
Contractors Act — Members of Parliament, Question, Mr. Mitchell Henry ; Answer, The Attorney General *May* 9, 472
Select Committee appointed, " to inquire into the operation of the Contractors Act (22 Geo. 3, c. 45), with a view to determine whether it should be amended or repealed, or, on the other hand, be rendered more stringent " (*Mr. Mitchell Henry*) *May* 22, 1170

Morning Sittings
Moved, " That, whenever the House shall meet at Two of the clock, the sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869 " (*Mr. Gladstone*) *May* 11, 696 ; after short debate, Motion agreed to

[*cont.*

PARLIAMENT—COMMONS—*Morning Sittings*—cont.
Question, Mr. G. Bentinck; Answer, Mr. Gladstone *May* 18, 963; Question, Colonel Wilson Patten; Answer, Mr. Bruce *June* 1, 1433

Public Business
Questions, Sir Robert Anstruther, Mr. Crawford, Mr. Hunt; Statements, Mr. Gladstone, The Chancellor of the Exchequer, Mr. Bruce *May* 8, 399; Question, Sir John Gray; Statement, Mr. Gladstone *May* 23, 1175; Question, Mr. Disraeli; Answer, Mr. Gladstone *May* 25, 1263; Question, Observations, Mr. Beckett Denison, Mr. Spencer Walpole; Reply, Mr. Bruce *June* 1, 1373; Observations, Mr. W. H. Gregory; Reply, Mr. Gladstone; short debate thereon *June* 5, 1542
Report of Select Committee on, Question, Mr. Pim; Answer, Mr. Gladstone *June* 12, 1905
Rules and Orders of this House — Alteration of Notices by Officers of the House, Question, Mr. Baillie Cochrane; Answer, Mr. Speaker *May* 9, 468

Recent "Counts-out," Question, Observations, Sir John Pakington; debate thereon *June* 8, 1678
The Derby Day, Moved, "That the House, at its rising, adjourn till Thursday" (*Mr. Gladstone*) *May* 23, 1180; after short debate, Motion agreed to
Whitsuntide Recess, Observations, Mr. Gladstone *May* 25, 1308
House adjourned from Friday *May* 26 to Thursday *June* 1

PATTEN, Right Hon. Colonel J. W., *Lancashire, N.*
Army—Commissions, 1373
Duchy of Lancaster, 328
Local Legislation (Ireland), 2R. 125
Parliament—Business of the House, 697
Protection of Life and Property (Ireland), Comm. *cl.* 8, 1354; *cl.* 11, 1367

PEASE, Mr. J. W., *Durham, S.*
Charities, &c. Exemption, 2R. 595

Pedlars' Act
Question, Mr. Gathorne Hardy; Answer, Mr. Bruce *May* 18, 957

PEEK, Mr. H. W., *Surrey, Mid.*
Burials, Comm. *cl.* 1, 1660
Custom House Clerks, 151

PEEL, Right Hon. Sir R., *Tamworth*
France—Paris, Destruction of, 1264
Supply—Charity Commission, 1396, 1408
Foreign Office, 1385
Votes on Account, 1367, 1368

PELL, Mr. A., *Leicestershire, S.*
Income Tax Assessments, 1324
Registration of Parliamentary Voters, 2R. Amendt. 583
Supply—Votes on Account, 1312

PEMBERTON, Mr. E. L., *Kent, E.*
Protection of Life and Property (Ireland), Comm. 1346

Pensions Commutation Acts Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Baxter*)
c. Ordered; read 1°* *May* 3 [Bill 122]
Read 2°* *May* 5
Committee*; Report *May* 11
Re-comm.*; Report *May* 15
Considered* *May* 17
Read 3°* *May* 18
l. Read 1ª* (*The Marquess of Lansdowne*) *May* 19 (No. 128)

PERCY, Earl, *Northumberland, N.*
Army—Volunteers, Arms, &c. 46

Permissive Prohibitory Liquor Bill [Bill 11]
(*Sir Wilfrid Lawson, Sir Thomas Bazley, Lord Claud Hamilton, Sir John Hanmer, Mr. Miller, Mr. Dalway, Mr. Downing*)
c. Moved, "That the Bill be now read 2°" *May* 17, 917
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Wheelhouse*); after long debate, Question put, "That 'now,' &c.;" A. 124, N. 206; M. 82;—[*But see* pp. 962-3]—words added; main Question, as amended, put, and agreed to; Bill put off for six months
Division on the, Question, Sir Wilfrid Lawson; Answer, Mr. Speaker; Observations, Mr. Bouverie *May* 18, 962

PETERBOROUGH, Bishop of
Ecclesiastical Courts, 2R. 1761

Petit Juries (Ireland) Bill
(*Mr. O'Reilly, Sir John Gray, Mr. Murphy*)
c. Bill withdrawn* *June* 8 [Bill 61]

Pharmacy Bill [H.L.] (*The Lord President*)
l. Presented; read 1ª* *June* 6 (No. 153)
Read 2ª* *June* 12
Committee*; Report *June* 13

Pier and Harbour Orders Confirmation (No. 1) Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Report* *May* 16 [Bills 101-146]
Re-comm.*; Report *May* 17
Read 3°* *May* 18
l. Read 1ª (*The Earl Cowper*) *May* 19
Read 2ª* *June* 13 (No. 127)

Pier and Harbour Orders Confirmation (No. 2) Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Resolution in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *May* 5 [Bill 127]
Read 2°* *May* 8
Committee*; Report *June* 8
Considered* *June* 9
Read 3°* *June* 12
l. Read 1ª* (*The Earl Cowper*) *June* 13 (No. 176)

Pier and Harbour Orders Confirmation (No. 3) Bill
(*Mr. Chichester Fortescue, Mr. Arthur Peel*)
c. Ordered ; read 1°* *May* 18 [Bill 153]
Read 2°* *May* 22
Committee * ; Report *June* 8

Pim, Mr. J., *Dublin City*
Parliament, Public Business, 1905
* Permissive Prohibitory Liquor, 2R. 932
Protection of Life and Property (Ireland), Comm. *cl.* 2, 1350 ; *cl.* 11, 1367 ; Consid. 1788
United States—English Claims, &c. 270

Playfair, Dr. Lyon, *Edinburgh and St. Andrew's Universities*
Education (Scotland), 1535
Water Supply (London), Res. 1222
Women's Disabilities, 2R. 101

Police Courts (Metropolis) Bill
(*Mr. Baxter, Mr. William Henry Gladstone*)
c. Ordered ; read 1°* *May* 8 [Bill 131]
Read 2°* *May* 11
Committee * ; Report *May* 12
Considered * *May* 15
Read 3°* *May* 17
l. Read 1ª* (*The Marquess of Lansdowne*) *May* 19 (No. 125)

Poor Law
Dispensaries, Question, Dr. Lush ; Answer, Mr. Stansfeld *June* 5, 1533
Government Property, Rates on, Question, Dr. Brewer ; Answer, Mr. Baxter *May* 15, 807
Starvation, Alleged Death from—Case of Jane Hale, Question, Mr. Cadogan ; Answer, Mr. Stansfeld *May* 12, 715
Union Assessment Committees, Question, Mr. Kennaway ; Answer, Mr. Goschen *May* 5, 270

Poor Law (*Metropolis*)
Amendt. on Committee of Supply *May* 5, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into the policy and administration of the Poor Law within the Metropolis" (*Mr. William Henry Smith*), 272 ; Question proposed, "That the words, &c. ;" after long debate, Amendt. withdrawn

Poor Law Provisional Orders Confirmation Bill (*Mr. Hibbert, Mr. Stansfeld*)
c. Ordered ; read 1°* *May* 17 [Bill 148]
Read 2°* *May* 19
Committee * ; Report *June* 1
Considered * *June* 5
Read 3°* *June* 7
l. Read 1ª* (*The Earl of Morley*) *June* 8 (No. 163)

Portman, Lord
Small Pox (Metropolis), Motion for Returns, 704

Postage Bill (*Mr. Monsell, Mr. Chancellor of the Exchequer, Mr. Baxter*)
c. Ordered ; read 1°* *May* 4 [Bill 124]
Read 2°* *May* 8
Committee * ; Report *May* 11
Considered * *May* 12
Read 3°* *May* 15
l. Read 1ª* (*The Marquess of Lansdowne*) *May* 16
Read 2ª* *May* 22 (No. 118)
Committee * *June* 13 (No. 179)

Post Office
Scotland
Money Orders—Revised System of Charges, Question, Mr. Maguire ; Answer, Mr. Monsell *May* 9, 473
New Post Office at Aberdeen, Question, Colonel Sykes ; Answer, Mr. Monsell *June* 12, 1902
Postal Communication between Perth and Inverness, Question, Mr. Cameron ; Answer, Mr. Monsell *May* 25, 1251
The Scotch Mails, Question, The Duke of Sutherland ; Answer, The Marquess of Lansdowne *May* 5, 268

The Telegraph System
Bonelli's Telegraph Company, Question, Mr. Seely ; Answer, Mr. Monsell *June* 13, 1977
Compensation to Officers of purchased Companies, Question, Mr. Charley ; Answer, Mr. Monsell *May* 22, 1110
Compensation to Postmasters, Question, Mr. Charley ; Answer, Mr. Monsell *May* 4, 155 ; Question, Mr. Dixon ; Answer, Mr. Monsell *June* 5, 1538
Employment of Army Reserve Men, Seamen, &c., Question, The Earl of Lauderdale ; Answer, Lord Northbrook *June* 8, 1668
Insulation of Telegraphic Wires — "Braie," Question, Sir John Hay ; Answer, Mr. Monsell *May* 11, 622
Privacy and Secrecy Telegrams, Question, Mr. Noel ; Answer, Mr. Monsell *May* 4, 154
Rights over Private Property, Question, Mr. H. A. Herbert ; Answer, Mr. Monsell *June* 8, 1675

Post Office—Postage Rate (*United States*)
Moved, "That, in the opinion of this House, it is desirable that the Postmaster General should propose to the Postmaster General of the United States that the letter postage between the two countries should be reduced from 3*d.* to 1*d.*" (*Mr. Seely*) *May* 2, 49
After short debate, Amendt. to leave out from "desirable," and add "that Her Majesty's Government should enter into communication with the Government of the United States, in order to consider whether it would be practicable further to reduce the rates of postage between the two countries without undue charge upon the public revenue" (*Mr. Gladstone*) ; after further short debate, Question, "That the words, &c.," put, and negatived

[*cont.*

POST OFFICE—POSTAGE RATE (UNITED STATES) —*cont.*
Question proposed, "That the words 'that Her Majesty's Government should enter into communication with the Government of the United States, in order to consider whether it would be practicable further to reduce the rates of postage between the two countries without undue charge upon the public revenue,'—be added, instead thereof
Amendt. proposed, to the said proposed Amendt. by leaving out the words "without undue charge upon the public Revenue" (*Mr. Hadfield*); after further short debate, Question, "That the words, &c.," put, and agreed to; words added; main Question, as amended, put, and agreed to

POWIS, Earl of
Cathedral Establishments, Motion for Papers, 462
University Tests, Comm. *add. cl.* 398

Prayer Book (Tables of Lessons) Bill [H.L.]
(*The Lord Chancellor*)
c. Committee*; Report *June* 8 [Bills 78, 181]

Presbyterian Church (Ireland) Bill
(*The Lord Cairns*)
l. Committee* *May* 9 (No. 87)
Report* *May* 11
Read 3ª* *May* 12
c. Read 1°* *May* 15 [Bill 142]
Read 2°* *May* 23
Committee*; Report *May* 25
Read 3°* *May* 26
l. Royal Assent *June* 16 [34 *Vict.* c. 24]

Primitive Wesleyan Methodist Society of Ireland Regulation Bill
(*The Lord Cairns*)
l. Report* *May* 4 (Nos. 42-88)
Committee* *May* 9
Report* *May* 11
Read 3ª* *May* 12
c. Read 1°* *May* 15 [Bill 143]

Private Chapels Bill
(*Mr. Salt, Mr. Dimsdale, Mr. Morrison*)
c. Moved, "That the Bill be now read 3°" *May* 3, 126
Amendt. to leave out "now," and add "upon this day month" (*Mr. Beresford Hope*); after short debate, Question, "That 'now,' &c.," put, and agreed to; Debate adjourned
Read 3°* *May* 4 [Bill 112]
l. Read 1ª* (*The Lord Lyttelton*) *May* 5 (No. 96)

Promissory Oaths Bill [H.L.]
(*The Lord Chancellor*)
l. Committee*; Report *May* 5 (Nos. 64-100)
Re-comm.*; Report *May* 11
Read 3ª* *May* 12
c. Read 1°* *June* 1 [Bill 169]
Read 2°* *June* 12

Protection of Life and Property in certain Parts of Ireland Bill [H.L.]
(*The Earl of Kimberley*)
l. Bill read 2ª, after long debate *May* 2, 1 (No. 77)
Committee; Report *May* 4, 129 (No. 94)
Read 3ª *May* 5, 263
Amendt. moved, "That the provisions of the Bill be extended to the county of Mayo" (*The Lord Oranmore and Browne*); after short debate, Motion withdrawn; Bill passed

c. Read 1°* *May* 8 [Bill 129]
Moved, "That the Bill be now read 2°" (*The Marquess of Hartington*) *May* 12, 716
Amendt. to leave out from "That," and add "in the opinion of this House, it is not expedient to continue 'The Peace Preservation (Ireland) Act, 1870,' beyond the date settled by that statute" (*The O'Conor Don*); Question proposed, "That the words, &c.;" after long debate, Debate adjourned

Question again proposed; Debate resumed *May* 16, 875; after long debate, Debate adjourned till this day
House resumed [House counted out]

Question again proposed; Debate resumed *May* 19, 1039; after long debate, Question put; A. 340, N. 12; M. 328
Division List, Noes, 1073
Main Question put, "That the Bill be now read 2°;" A. 293, N. 11; M. 282; Bill read 2°

Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*The Marquess of Hartington*) *May* 26, 1328
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Downing*); after debate, Question put, "That the words, &c.;" A. 162, N. 7; M. 155
Division List, Noes, 1349
Main Question, "That Mr. Speaker, &c." put, and agreed to; Bill considered in Committee; Committee—R.P.
Committee; Report *May* 26, 1355
Observations, Mr. W. H. Gregory; Reply, Mr. Gladstone; short debate thereon *June* 5, 1542
Considered *June* 9, 1779; after short debate, Bill read 3°

Public Health (Scotland) Act (1867) Amendment Bill
(*The Lord Advocate, Mr. Secretary Bruce*)
c. Committee*; Report *May* 22 [Bill 92]
Considered* *May* 23
Read 3°* *May* 25
l. Read 1ª* (*The Earl of Morley*) *June* 5 (No. 148)

Public Health (Scotland) Supplemental Bill
(*The Lord Advocate, Mr. Secretary Bruce*)
c. Ordered; read 1°* *June* 12 [Bill 189]

Public Prosecutors Bill
(*Mr. Russell Gurney, Mr. Eykyn, Mr. Vernon Harcourt, Mr. Rathbone*)
c. Bill withdrawn *June* 7, 1667 [Bill 35]

Raikes, Mr. H. C., *Chester*
Army—Anglesey Militia, 1113
South African Diamond Fields, 1037

Railway Accident at Brockley Whins
Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Chichester Fortescue *May* 25, 1257

Railway Legislation Bill
(*Mr. Whalley, Mr. M'Mahon*)
c. Ordered; read 1° * *May* 11 [Bill 138]

Railway Regulation Amendment Bill
(*Mr. Chichester Fortescue, Mr. Arthur Peel*)
c. Ordered; read 1° * *June* 13 [Bill 195]

Rathbone, Mr. W., *Liverpool*
Poor Law (Metropolis), Address for a Commission, 284

Rating and Local Government Bill
(*Mr. Goschen, Mr. Stansfeld, Mr. Secretary Bruce, Mr. William Edward Forster*)
c. Bill withdrawn * *May* 8 [Bill 106]

Read, Mr. Clare S., *Norfolk, S.*
Burials, Comm. *cl.* 1, 1660
Education—Building Grants, 1178
Registration of Parliamentary Voters, 2R. 584
Supply—Poor Law Commission, 1419, 1420
Veterinary Department of the Privy Council, Motion for a Committee, 1481, 1497

Redesdale, Lord (Chairman of Committees)
Bank Holidays, 2R. 129; Comm. 863
India—Indian Administration and Finance, 606
Protection of Life and Property (Ireland), Comm. 129
United States—Joint High Commission, 698, 701

Reed, Mr. C., *Hackney*
Metropolis—Bethnal Green Museum, 1538

Registration of Births Bill
(*Dr. Lyon Playfair, Sir Charles Adderley, Mr. Bouverie, Mr. Sclater-Booth, Sir George Grey, Mr. Spencer Walpole*)
c. Ordered; read 1° * *June* 7 [Bill 180]

Registration of Parliamentary Voters Bill (*Mr. Henry Robert Brand, Sir Charles Dilke, Mr. Andrew Johnston, Mr. Collins, Mr. Rathbone*)
c. Moved, "That the Bill be now read 2°" *May* 10, 578
[*cont.*

Registration of Parliamentary Voters Bill—cont.
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Pell*); after debate, Question put, "That 'now,' &c.;" A. 151, N. 135; M. 16; main Question put, and agreed to; Bill read 2° [Bill 19]

Registration of Voters (No. 2) Bill
(*Sir Charles Dilke, Mr. Collins, Mr. Whitbread, Mr. Rathbone*)
c. Read 2° * *May* 10 [Bill 22]

Richard, Mr. H., *Merthyr Tydvil*
Burials, Comm. 1640
Established Churches, Res. 520

Richmond, Duke of
Army Reserve and Enlistment, 1521, 1523
Army—Volunteers for India, Motion for a Return, 167
Bank Holidays, 2R. 129; Comm. *cl.* 1, Amendt. 863, 865
Dogs, 2R. 1774
Ecclesiastical Patronage (Scotland), 458
Juries (Ireland), 2R. 1034
Mint, The Royal, Motion for a Committee, 144
Natural History Collection, South Kensington, 1030
Post Office—Scotch Mails, 268
Protection of Life and Property (Ireland), 2R. 14; 3R. 267
University Tests, Comm. *add. cl.* 396; Report, 606

Ridley, Mr. M. W., *Northumberland, N.*
Smith, James, Case of, 47

Rosebery, Earl of
Ecclesiastical Patronage (Scotland), 454
University Tests, Comm. *cl.* 3, 387

Royal Mint—See title *Mint, The Royal*

Royston, Right Hon. Viscount, *Cambridgeshire*
Army Regulation, Comm. 430, 431; *cl.* 2, 1128, 1129; *cl.* 3, 1558

Russell, Earl
Protection of Life and Property (Ireland), 2R. 22
University Tests, Commons' Amendts. 1967
Washington, Treaty of, Motion for an Address, 1823, 1842

Russell, Colonel Sir W., *Norwich*
Army Regulation, Comm. 672; *cl.* 3, Amendt. 1279, 1566; Amendt. 1576, 1802; Amendt. 1944, 1945
United States—Joint High Commission, 1106
Washington, Treaty of, Motion for an Address, 1900

Russia—Military Attaché at St. Petersburg
Question, Mr. Rylands; Answer, Viscount Enfield *June* 8, 1677

Rutland, Duke of
University Tests, Commons' Amendts. 1967

Rylands, Mr. P., *Warrington*
Army Regulation, Comm. 433 ; *cl.* 2, 844 ; *cl.* 3, 1290, 1578, 1579; Amendt. 1690, 1691, 1804
Military Attaché at St. Petersburg, 1677
National Debt, Res. 1476
Supply—Board of Trade, 1390
Civil Service Commission, 1412
Foreign Office, 1386
Office of Woods, 1423
Offices of the House of Commons, 1383
Offices of the House of Lords, 1381
Patent Office, 1415
Secret Service, Amendt. 1424, 1428, 1429
University Tests, Lords' Amendts. 1184

Sackville, Mr. Sackville G. Stopford-, *Northamptonshire, N.*
Burials, Comm. *cl.* 1, 1659

St. Alban's, Duke of
Natural History Collection, South Kensington, 1029

Salisbury, Marquess of
Bank Holidays, 2R. 128, 129 ; Comm. 861, 862 ; *cl.* 1, 864 ; *cl.* 2, Amendt. 865 ; *cl.* 3, *ib.* ; Schedule, 866, 867
Ecclesiastical Courts, 2R. 1772
India—Indian Administration and Finance, 606
Paris, Treaty of, Motion for an Address, 796, 797
Protection of Life and Property (Ireland), 2R. 31
Small Pox (Metropolis), Motion for Returns, 705
United States—Joint High Commission 1101, 1103, 1108
University Tests, Comm. *add. cl.* 338, 359 ; *cl.* 3, Amendt. 384, 389, 392 ; *cl.* 4, Amendt. 393, 394 ; *add. cl.* 395, 396, 397, 398 ; Report, 603 ; *add. cl.* 604, 605 ; 3R. 710 ; Commons' Amendts. Amendt. 1966, 1974
Washington, Treaty of, Motion for an Address, 1893

Salisbury, Bishop of
University Tests, Comm. *add. cl.* 375, 376

Salmon Fisheries Bill
(*Mr. Dodds, Mr. Liddell, Colonel Amcotts, Earl Percy, Colonel Edwardes*)
c. Committee* ; Report *May* 17 [Bills 75-147]

Salmon Fisheries (Ireland) Bill
(*Mr. Heron, Mr. Henry Herbert, Mr. Mitchell Henry*)
c. Ordered ; read 1°* *May* 3 [Bill 121]

Salomons, Alderman Sir D., *Greenwich*
National Debt, Res. 1443
Supply—Lord Privy Seal, 1394

Salt, Mr. T., *Stafford*
Army Regulation, Comm. *cl.* 3, 1290
Private Chapels, 2R. 126

Samuda, Mr. J. D'A., *Tower Hamlets*
Army Regulation, Comm. *cl.* 3, 1270

Samuelson, Mr. B., *Banbury*
Chancery Business, Progress of, 45
Permissive Prohibitory Liquor, 2R. 945

Sandhurst, Lord
Army Reserve and Enlistment, 1499
Army — Volunteers for India, Motion for a Return, 1670, 1673

Sandon, Viscount, *Liverpool*
Permissive Prohibitory Liquor, 2R. 943, 952
Supply—Secret Service, 1426

Saunderson, Mr. E. J., *Cavan Co.*
Protection of Life and Property (Ireland), 2R. 1055

Sclater-Booth, Mr. G., *Hampshire, N.*
Blackwater Bridge, 1266
Navy—Cheyne, Commander, Case of, 1177
Supply—Charity Commission, 1401
Copyhold, &c. Commission, 1413
Lord Privy Seal, 1392
Patent Office, 1416, 1417
Paymaster General, 1417
Poor Law Commission, 1419, 1420
Queen's and Lord Treasurer's Remembrancer, 1430, 1431
Secret Service, 1427
Votes on Account, 1310
Ways and Means, Report, 193

Scotland
Administration of Justice—Case of Sir John Orde, Observations, Mr. Craufurd ; Reply, The Lord Advocate *May* 19, 1098
Ecclesiastical Patronage, Question, The Earl of Rosebery ; Answer, The Duke of Argyll ; short debate thereon *May* 9, 454
Law of Hypothec, Question, Mr. Stapleton ; Answer, The Lord Advocate *May* 15, 803
Rates for Church Repairs, Question, Mr. M'Laren ; Answer, The Lord Advocate *June* 5, 1533

Scott, Lord H. J. M. D., *Hampshire, S.*
Woods and Forests—Crown Property, 471

Scourfield, Mr. J. H., *Pembrokeshire, S.*
Burials, Comm. 1650
Customs and Income Tax, Comm. 996
Established Churches, Res. 529
Women's Disabilities, 2R. 87

Seely, Mr. C., *Lincoln City*
Army Regulation, Comm. *cl.* 2, 1153
Bonelli's Telegraph Company, 1977
Postage Rates—United States, Res. 49, 63, 64

Selwin-Ibbetson, Sir H. J., *Essex, W.*
Army Regulation, Comm. *cl.* 3, 1586; *cl.* 5, 1988
Brockley Whins, Railway Accident at, 1257
Burials, Comm. *cl.* 1, 1660, 1663
Permissive Prohibitory Liquor, 2R. 935
University Tests, Lords' Amendts. 1183

Sequestration Bill [H.L.]
(*The Lord Bishop of Winchester*)
l. Bill read 2^a, after short debate *May* 11, 600 (No. 54)
Committee *; Report *May* 16 (No. 121)
Read 3^a * *May* 19
c. Read 1° * *May* 23 [Bill 159]
Read 2° * *May* 25

Sequestration of Benefices Bill [Bill 80]
(*Mr. Russell Gurney, Mr. Bouverie, Sir John Pakington*)
c. Ordered, "That the Sequestration of Benefices Bill be referred to the Select Committee on the Benefices Resignation Bill" (*Mr. Russell Gurney*) *May* 26, 1371

Sewage Utilisation Supplemental Bill
(*Mr. Winterbotham, Mr. Secretary Bruce*)
c. Ordered; read 1° * *June* 12 [Bill 186]

Shaftesbury, Earl of
Ecclesiastical Courts, 2R. 1746, 1773

Shaw, Mr. R., *Burnley*
Army Regulation, Comm. *cl.* 3, 1569

Sherlock, Mr. Serjeant D., *King's Co.*
Army—Royal Tyrone Fusiliers, 1111
Protection of Life and Property (Ireland), 2R. 898

Simon, Mr. Serjeant J., *Dewsbury*
United Kingdom and the Colonies, Motion for a Committee, 759

Sinclair, Sir J. G. T., *Caithness-shire*
Army Regulation, Comm. *cl.* 2, 838; *cl.* 3, Amendt. 1743, 1794, 1797; Amendt. 1940
National Debt, Res. Amendt. 1445, 1451

Smith, Mr. J. B., *Stockport*
Ways and Means, Report, 191

Smith, Mr. T. E., *Tynemouth, &c.*
Permissive Prohibitory Liquor, 2R. 942

Smith, Mr. W. H., *Westminster*
Army Regulation, Comm. *cl.* 2, 1162, 1163
Metropolis—Houses of Parliament Approaches, 1539
Poor Law (Metropolis), Address for a Commission, 272

Solicitor General, The (Sir J. D. Coleridge), *Exeter*
Protection of Life and Property (Ireland), Comm. *cl.* 11, 1364, 1367
University Tests, Lords' Amendts. *cl.* C, 1207

Somerset, Duke of
University Tests, Comm. *add. cl.* 363; *cl.* 3, 392

Spain—State of Cuba
Question, Mr. R. N. Fowler; Answer, Viscount Enfield *June* 6, 1602

Speaker, The (Right Hon. J. E. Denison) *Nottinghamshire, N.*
Army—Volunteers and Hyde Park, 1602
Army Regulation, Comm. *cl.* 3, 1582
Bank Holidays, 1118
Blackwater Bridge, 1266
Duchy of Lancaster, 322
France—Paris, Destruction of, 1264
National Debt, Res. 1445
Navy—"Captain," Loss of the—Case of Mrs. Burgoyne, 468, 469
Parliament—Adjournment of the House, 2043
Counts-out, Recent, 1680, 1685
Permissive Prohibitory Liquor, Division on, 962
Protection of Life and Property (Ireland), 2R. 728, 1047; Comm. 1330
Supply—Votes on Account, 1368

Stacpoole, Mr. W., *Ennis*
Army—Limerick Militia, 1373
Glebe Loans (Ireland), 1533
Ireland—Valuation, General, 1177

Stanhope, Earl
France and Prussia—Sinking of British Vessels, 1172
Natural History Collection, South Kensington, 1030
Small Pox (Metropolis), Motion for Returns, 705
United States—Joint High Commission, 1108
University Tests, Comm. *add. cl.* 395

Stanley of Alderley, Lord
University Tests, Comm. *add. cl.* 368

Stanley, Hon. Captain F. A., *Lancashire, N.*
Army Regulation, Comm. 663, 695

Stanley, Hon. W. O., *Beaumaris*
Army—Anglesey Militia, 1114
Navy—Portland Harbour, 955

Stansfeld, Right Hon. J. (Chief Commissioner of the Poor Law Board), *Halifax*
Charities, &c. Exemption, 2R. Motion for Adjournment, 598
Poor Law Dispensaries, 1533

[*cont.*

STANSFELD, Right Hon. J.—*cont.*
Poor Law (Metropolis), Address for a Commission, 296
Starvation, Alleged Death from, 715
Supply—Paymaster General, 1417
Poor Law Commission, 1419, 1420

STAPLETON, Mr. J., *Berwick-on-Tweed*
Army Regulation, Comm. *cl.* 3, 1804
Burials, Comm. *cl.* 1, 1663
Ireland—Advances to Tenants, 1374
Scotland—Hypothec, Law of, 803

STORKS, Right Hon. Major General Sir H. (Surveyor General of Ordnance), *Ripon*
Army—Questions, &c.
84th Regiment, 1674
Martello Towers, 1678
Service Corps, 961
Volunteers, Arms, &c. 46, 957
Woolwich Arsenal, Boys at, 958
Army—Powder, Supply of, Motion for a Paper, 1474, 1477
Army Regulation, Comm. 448, 664 ; *cl.* 2, 857, 858, 859, 860, 1016, 1120, 1125 ; *cl.* 3, 1565, 1566, 1571, 1744, 1943
National Defences, 1371

STRAIGHT, Mr. D., *Shrewsbury*
Aldershot, Conviction at, 873, 1115

STRATHEDEN, Lord
Adjutants (Jury) Exemption, 2R. 602
Paris, Treaty of, Motion for an Address, 782, 802

Sunday Observation Act Repeal Bill
c. Moved, "That leave be given to bring in a Bill to repeal the Act of the twenty-ninth year of Charles the Second, chapter seven, intituled 'An Act for the better Observation of the Lords Day, commonly called Sunday" (*Mr. Taylor*) *June* 13, 2043
Moved, "That the Debate be now adjourned" (*Lord George Hamilton*) ; A. 77, N. 61 ; M. 16
Moved, "That this House do now adjourn" (*Mr. Newdegate*); A. 58, N. 67; M. 9; Debate adjourned

Sunday Trading—Summonses for
Question, Mr. Harvey Lewis; Answer, Mr. Bruce *May* 2, 46 ; Questions, Mr. Harvey Lewis, Mr. Charley ; Answers, Mr. Bruce *May* 12, 715

SUPPLY
CIVIL SERVICE ESTIMATES—VOTES ON ACCOUNT.
Amendt. on Committee of Supply *May* 25, To leave out from "That," and add "it is not expedient, at so late a period of the Session, to grant any further Votes on account for Civil Service Estimates" (*Mr. Cross*), 1308 ; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn
Considered in Committee—CIVIL SERVICE ESTIMATES — £843,850, further on Account *May* 25, 1314

[*cont.*

Supply—cont.
Resolution reported *May* 26, 1355 ; Motion made, and Question proposed, "That the said Resolution be now read the second time ;" Debate arising ; Debate adjourned
Debate resumed *May* 26, 1367 ; after short debate, Question put, and agreed to ; Resolution agreed to
Considered in Committee—CIVIL SERVICE ESTIMATES *June* 1, 1381—Resolutions reported *June* 5

SUTHERLAND, Duke of
Post Office—Scotch Mails, 268

SYKES, Colonel W. H., *Aberdeen City*
Army Regulation, Comm. 452 ; *cl.* 2, 832, 844, 1016, 1124 ; *cl.* 3, 1712, 1801, 1917, 1935 ; *cl.* 5, 1991, 1996
Charities, &c. Exemption, 2R. 597
Education (Scotland), 1982
Hong Kong—Gambling Houses, 1252
India—Cost of Drill, Indian Service, 403
Indian Officers, Income Tax on, 1115
Postage Rate, United States, 54
Scotland—Aberdeen, New Post Office, 1902
Ways and Means, Report, 192

SYNAN, Mr. E. J., *Limerick Co.*
Protection of Life and Property (Ireland), 2R. 1051 ; Comm. *cl.* 11, 1365

TALBOT, Hon. Captain R. A. J., *Stafford Bo.*
Army—65th Regiment, 1674
Army Regulation, Comm. *cl.* 3, 1803

TALBOT, Mr. J. G., *Kent, W.*
Burials, Comm. *cl.* 1, 1662 ; Amendt. 1664
Education—New Code, 809
University Tests, Lords' Amendts. *cl.* 3, 1201 ; *cl.* B, 1205

Tancred's Charities Bill [H.L.]
(*The Lord Privy Seal*)
l. Presented ; read 1^a* *May* 4 (No. 91)

TAYLOR, Mr. P. A., *Leicester*
Game Laws, 631
Lovell, Mary, Case of, 1599
Sunday Observation Act Repeal, Leave, 2043

Tea, Adulteration of
Question, Lord Eustace Cecil; Answer, Mr. Bruce *May* 18, 959 ; Question, Lord Eustace Cecil ; Answer, The Chancellor of the Exchequer *May* 25, 1262 ; *June* 2, 1434

TIPPING, Mr. W., *Stockport*
Army Regulation, Comm. *cl.* 3, 1722

Tithe Rent-Charges (Ireland) Bill
(*Mr. Heron, Sir John Esmonde, Mr. Murphy*)
c. Ordered ; read 1^o* *May* 9 [Bill 132]

TORRENS, Mr. W. M., *Finsbury*
Army—Recruiting, 1930
Army Regulation, Comm. *cl. 5*, 2004
Income Tax, Motion for a Committee, 1096
Metropolis Water, 2R. 1321
Water Supply (London), Res. 1246
Ways and Means, Report, Amendt. 156

Trades Unions Bill
(*The Earl of Morley*)
l. Committee* *May* 15 (Nos. 68-114)
Report * *May* 16
Read 3ª* *May* 19 (No. 123)

Tramways Provisional Orders Confirmation Bill
(*Mr. Arthur Peel, Mr. Chichester Fortescue*)
c. Ordered; read 1º* *May* 8 [Bill 130]
Read 2º* *May* 18

Treaty of Paris, 1856
Moved, That an humble Address be presented to Her Majesty for any consular reports of the steps which the Russian Government are taking to form the Maritime and Military Arsenals which Clause XIII. of the Treaty had prohibited (*The Lord Campbell*) *May* 15, 782; after debate, resolved in the negative

Treaty of Washington, 1871
Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased not to sanction or to ratify any convention for the settlement of the Alabama Claims by which Her Majesty will approve of any conditions, terms, or rules by which the arbitrator or arbitrators will be bound other than the law of nations and the municipal law of the United Kingdom existing and in force at the period of the late civil war in the United States when the alleged depredations took place" (*The Earl Russell*) *June* 12, 1823; after long debate, resolved in the negative

TRELAWNY, Sir J. G. S., *Cornwall, E.*
Army—Volunteers and Hyde Park, 1602

TREVELYAN, Mr. G. O., *Hawick, &c.*
Harrow School, Motion for an Address, 2044
Ways and Means, Report, 220

Trust Funds (Investments) Bill
(*Mr. Stephen Cave, Mr. Russell Gurney, Mr. Crawford*)
c. Ordered; read 1º* *May* 3 [Bill 123]
Bill read 2º *May* 9, 575
Committee*; Report *May* 10
Read 3º* *May* 11
l. Read 1ª* (*The Duke of Richmond*) *May* 12
Read 2ª* *May* 16 (No. 110)
Committee* *June* 8 (No. 165)
Report* *June* 9
Read 3ª* *June* 12
Royal Assent *June* 29 [34 & 35 *Vict.* c. 27]

Union of Benefices Bill [H.L.]
(*The Lord Bishop of Exeter*)
l. Presented; read 1ª* *June* 6 (No. 155)

United States
The Joint High Commission, Question, The Marquess of Clanricarde; Answer, Earl Granville *May* 11, 620—*The "Alabama" Claims*, Question, Lord Redesdale; Answer, Earl Granville; short debate thereon *May* 12, 698—*The Treaty—Question—Rules of the House—Notice of Questions*, Question, The Marquess of Salisbury; Answer, Earl Granville; debate thereon *May* 22, 1101
The Mixed Commission—English Claims, Question, Mr. Pim; Answer, Viscount Enfield *May* 5, 270
Treaty of Washington, Question, Mr. Dickinson; Answer, Mr. Gladstone *June* 5, 1539; Question, Sir Roundell Palmer; Answer, Mr. Gladstone *June* 12, 1903
Treaty with the United States, Question, Lord R. Montagu; Answer, Viscount Enfield *May* 9, 471
(See title—*Treaty of Washington*, 1871)

University Tests Bill
(*The Earl of Kimberley*)
l. Committee *May* 8, 338 (No. 104)
Report *May* 11, 602 (No. 107)
Bill read 3ª, after short debate *May* 12, 705 (No. 109)
c. Order for Consideration of Lords Amendts. read *May* 23, 1181
Moved, "That the said Amendts. be now taken into Consideration"
Amendt. to leave out "now," and add "upon Thursday next" (*Mr. Cavendish Bentinck*); after short debate, Question, "That 'now,' &c." put, and agreed to; main Question put, and agreed to; Lords Amendts. considered
After debate, Amendts. agreed to; one amended, and agreed to; several disagreed to
Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to the Amendts. to which this House hath disagreed;" List of the Committee, 1209
Reasons for disagreeing to certain of The Lords Amendts. reported, and agreed to; to be communicated to The Lords
l. Returned from the Commons with certain of the amendts. agreed to, with amendts., and other amendts. disagreed to, with Reasons for such disagreement: The said Reasons, and Bill with the amendts., to be printed; and to be taken into consideration on Tuesday the 13th of June next (Nos. 137, 138)
Commons' Amendts. to the Lords' Amendts., and Commons Reasons for disagreeing from some of the Amendts. made by the Lords considered *June* 13, 1962
Moved, to insist on Clause A to which the Commons disagree (*The Marquess of Salisbury*); after short debate, on Question, Whether to insist? Cont. 89, Not-Cont. 129; M. 40; resolved in the negative
Division List, Cont. and Not-Cont. 1971
The rest of the Amendts. to which the Commons disagree not insisted on; and the Commons' Amendts. agreed to
Royal Assent *June* 16 [34 & 35 *Vict.* c. 26]

Vaccination Act (1867) Amendment Bill (*Mr. William Edward Forster, Mr. Baxter*)
c. Ordered; read 1° * *June* 12 [Bill 191]

Vaccination (Scotland) Bill (*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam*)
c. Bill withdrawn * *June* 5 [Bill 118]

VANCE, Mr. J., *Armagh City*
Ireland—Census in Armagh, 1374
Ireland—Railways, Res. 334

VERNER, Sir W., *Armagh Co.*
Army Regulation, Comm. Motion for Adjournment, 453

VERNEY, Sir H., *Buckingham*
Army Regulation, Comm. *cl.* 2, 1121, 1131
Burials, Comm. *cl.* 1, 1660
Gambia Colony, Transfer of, 153
United Kingdom and the Colonies, Motion for a Committee, 753

Veterinary Department of the Privy Council
Amendt. on Committee of Supply *June* 2, To leave out from "That," and add "a Select Committee be appointed to inquire into the cost, constitution, and working of the Veterinary Department of the Privy Council" (*Mr. Clare Read*), 1481; Question proposed, "That the words, &c.;" after short debate, [House counted out]

VIVIAN, Hon. Captain J. C. W. (Lord of the Treasury), *Truro*
Army—Artillery, Promotion in the, 152, 1902
Army Regulation, Comm. 421, 427, 431, 687; *cl.* 2, 822, 1013, 1019; *cl.* 3, 1546, 1804, 1933, 1938

WALPOLE, Right Hon. Spencer H., *Cambridge University*
National Debt, Res. 1465
Parliament—Public Business, 1373
University Tests, Lords' Amendts. *cl.* A, 1191; *cl.* 3, 1201; *cl.* B, 1206

Water Supply (London)
Moved, "That, in the opinion of this House, the Water supplied to householders in London should be derived from pure sources, and should be delivered on the constant system" (*Mr. Kay-Shuttleworth*) *May* 23, 1209; after debate, Previous Question, "That that Question be now put" (*Mr. Stephen Cave*), put, and negatived

Ways and Means—Miscellaneous Questions
Customs and Inland Revenue Act—Armorial Bearings, Question, Dr. Lush; Answer, The Chancellor of the Exchequer *May* 11, 623
Direct and Indirect Taxation, Question, Mr. M. T. Bass; Answer, The Chancellor of the Exchequer *May* 11, 625
[*cont.*

Ways and Means—cont.
Gun Licence—The Volunteers, Question, Mr. Fletcher; Answer, The Chancellor of the Exchequer *June* 8, 1676
Income Tax Assessments, Question, Mr. Pell; Answer, The Chancellor of the Exchequer *May* 26, 1324
Income Tax on Retired Pay of Indian Officers, Question, Colonel Sykes; Answer, The Chancellor of the Exchequer *May* 22, 1115
Licences for Attendants on Lunatics, Question, Sir James Lawrence; Answer, The Chancellor of the Exchequer *May* 15, 805
Terminable Annuities, Question, Mr. White; Answer, The Chancellor of the Exchequer *May* 18, 955
War Office — Income Tax Commissioners, Question, Mr. O'Reilly; Answer, Mr. Cardwell *May* 4, 153

WAYS AND MEANS
Resolution [May 1] reported, and read 2° *May* 4, 155
Amendt. to leave out "Sixpence" and insert "Five Pence" (*Mr. W. M. Torrens*)
Question proposed, "That 'Sixpence' stand part of the proposed Resolution;" after long debate, Question put; A. 294, N. 248; M. 46; Resolution agreed to
Bill ordered read 1° [Bill 126]
Division List, Ayes and Noes, 242
[See title—*Income Tax Bill*]
Considered in Committee—Tea Duties *May* 8, 453
Resolution reported * *May* 9
Committee deferred, after short debate *May* 10, 599
Considered in Committee—£7,000,000 Consolidated Fund; Resolution reported; Bill ordered *May* 12, 778
[See title—*Consolidated Fund*]

WEDDERBURN, Sir D., *Ayrshire, S.*
Silver Coinage, 1776

WELBY, Mr. W. E., *Lincolnshire, S.*
Educational Endowments, 621

WESTBURY, Lord
University Tests, Comm. *add. cl.* 376

West Indies—Nevis
Question, Mr. W. Johnston; Answer, Mr. Knatchbull-Hugessen *May* 25, 1251

WEST, Mr. H. W., *Ipswich*
Protection of Life and Property (Ireland), Comm. *cl.* 8, 1353; Consid. 1780

WETHERED, Mr. T. O., *Great Marlow*
Publichouses, Transfer of Licences, 808

WHALLEY, Mr. G. H., *Peterborough*
Army Regulation, Comm. 662; *cl.* 2, 1138, 1139
France—Paris Communal Authorities, 1254
Income Tax, Motion for a Committee, 1090
Ireland—Surplus Revenues of the Irish Church, 470
[*cont.*

Whalley, Mr. G. H.—*cont.*
Local Legislation (Ireland), 2R. 125
Metropolis—Brompton Cemetery, 1328
Poor Law (Metropolis), Address for a Commission, 316
Postage Rate—United States, Res. 65
Protection of Life and Property (Ireland), 2R. 1072

Wheelhouse, Mr. W. St. James, *Leeds*
Army Regulation, Comm. *cl.* 2, 1140 ; *cl.* 5, 2000
Permissive Prohibitory Liquor, 2R. Amendt. 926
Registration of Parliamentary Voters, 2R. 588
Ways and Means, Report, 197

Whitbread, Mr. S., *Bedford*
Army Regulation, Comm. *cl.* 2, 825

White, Hon. Colonel C. W., *Tipperary Co.*
Army Regulation, Comm. 449

White, Mr. J., *Brighton*
Army Regulation, Comm. *cl.* 3, 1719
National Debt, Res. 1436, 1469, 1470
Postage Rate—United States, Res. 58
Terminable Annuities, 955
Ways and Means, Report, 166

Williams, Mr. Watkin, *Denbigh, &c.*
Established Churches, Res. 531

Wilmot, Colonel H., *Derbyshire, S.*
Army Regulation, Comm. 439 ; *cl.* 3, 1566
Criminal Law—Case of Mrs. Ingham, 1325

Winchester, Bishop of
Bank Holidays, Comm. Schedule, 867
Ecclesiastical Courts, 2R. 1768
Sequestration, 2R. 600
University Tests, Report, 605

Wingfield, Sir C. J., *Gravesend*
Army Regulation, Comm. *cl.* 2, 830 ; *cl.* 4, Amendt. 1985
India—East India Administration, Res. 2038
India—Nawab of Tonk, Motion for a Committee, 773

Winn, Mr. R., *Lincolnshire, N.*
Army—Volunteers, Capitation Allowance, 1804

Women's Disabilities Bill [Bill 13]
(*Mr. Jacob Bright, Mr. Eastwick, Dr. Lyon Playfair*)
c. Moved, "That the Bill be now read 2°" *May* 3, 68
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Bouverie*) ; after long debate, Question put, "That 'now,' &c. ;" A. 151, N. 220 ; M. 69 ; words added ; main Question, as amended, put, and agreed to ; Bill put off for six months
Division List, Ayes and Noes, 121

Woods and Forests and Crown Property
Question, Lord Henry Scott ; Answer, The Chancellor of the Exchequer *May* 9, 471

Workshop Regulation Act (1867) Amendment Bill (*The Earl of Airlie*)
l. Read 2ª* *May* 9 (No. 63)
Committee * ; Report *May* 11
Read 3ª* *May* 12
Royal Assent *May* 25 [34 *Vict.* c. 19]

Wyndham, Hon. P. S., *Cumberland, W.*
Army Regulation, Comm. *cl.* 3, Motion for Adjournment, 1949

Yarmouth, Earl of, *Antrim Co.*
Army Regulation, Comm. *cl.* 2, 1124

York, Archbishop of
Cathedral Establishments, Motion for Papers, 460
University Tests, Comm. *add. cl.* 357, 359, 361, 376, 393, 397

Young, Mr. A. W., *Helston*
Water Supply (London), Res. 1245

ERRATA.

Vol. ccIV., page 1811, line 15, *for* 1*s.* 6*d.*, *read* one-sixth.
Vol. ccvi., page 40, *for* Viscount Midleton, *read* Lord Middleton.

END OF VOLUME CCVI., AND THIRD VOLUME OF SESSION 1871.

BIBL. LONDIN. UNIV.

LONDON ; CORNELIUS BUCK, 23, PATERNOSTER ROW, E.C.

UL 10 SEP 1957